

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, November 19, 2002
Tuesday, 9:00 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

Jeffrey Faus, Trees for Life, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved The Minutes of the regular meeting of November 5, 2002, were approved 7 to 0.

AWARDS AND PRESENTATIONS

| | |
|---------------------|--|
| Service Citations | Distinguished Service Citations were presented. |
| Proclamations | Proclamations previously approved were presented. |
| Student Recognition | International Students were recognized. |
| Wichita's Promise | Wichita's Promise – Youth Service Awards were presented. |

NEW BUSINESS

SPRINGDALE **PETITION TO PAVE LAKEVIEW DRIVE, CACTUS AND CACTUS COURT IN SPRINGDALE EAST SECOND ADDITION – SOUTH OF KELLOGG, EAST OF 143RD STREET EAST.**
(District II)

Neil Cable City Engineer reviewed the Item.

Agenda Report No. 02-2016.

The signatures on the Petition represent 1 of 7 (14.29%) resident owners and 80.29% of the improvement district area. The project was discussed by the District II Advisory Board on October 7, 2002. The Board voted 8-0 to recommend approval.

The project will provide paved access to a partially developed residential addition.

The project budget contained in the Petition is \$250,000 with the total assessed to the improvement district. The method of assessment is the fractional basis. The estimated assessment to individual properties is \$8,930 per lot except for two lots that will be assessed \$4,465 because they were previously assessed for a side street paving project.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners, or by the owners of the majority of the property in the improvement district.

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Mayor Knight Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- carried Pisciotte moved that the Petitions be approved and the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-493

Resolution of findings of advisability and Resolution authorizing improving Lakeview Drive, from the east line of Stagecoach to the west line of Cactus; Cactus, from the east line of Lot 6, Block 3, to the south line of Kellogg Avenue; and Cactus Court from the east line of Cactus to and including the cul-de-sac (south of Kellogg, east of 143rd Street East) 472-83482, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Pisciotte moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

SPRINGDALE

PETITION TO EXTEND A WATER DISTRIBUTION SYSTEM WITHIN SPRINGDALE EAST SECOND ADDITION – SOUTH OF KELLOGG, EAST OF 143RD STREET EAST. (District II)

Neil Cable City Engineer reviewed the Item.

Agenda Report No. 02-2017.

The signatures on the Petition represent 1 of 5 (20%) resident owners and 88.26% of the improvement district area. The project was discussed by the District II Advisory Board on October 7, 2002. The Board voted 8-0 to recommend approval.

The project will provide water service to a partially developed residential addition.

The project budget contained in the Petition is \$66,000 with the total assessed to the improvement district. The method of assessment is the fractional basis. The estimated assessment to individual properties is \$2,450 per lot.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners, or by the owners of the majority of the property in the improvement district.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard.

Motion -- carried Pisciotte moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-494

Resolution of findings of advisability and Resolution authorizing improving of Water Distribution System Number 448-89658 (south of Kellogg, east of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Pisciotte moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

HOMESTEAD HEALTH PUBLIC HEARING AND ISSUANCE OF HEALTH CARE FACILITY REFUNDING REVENUE BONDS – HOMESTEAD HEALTH CENTER, INC. (District IV)

Allen Bell Financial Projects Director reviewed the Item.

Agenda Report No. 02-2018.

On October 8, 2002, the City Council approved a Letter of Intent to issue Health Care Facility Refunding Revenue Bonds in the amount of \$780,000 to Homestead Health Center, Inc. The bonds will

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be used to refund Series VII 1994, and redeem currently existing debt and pay costs of issuance. The company is ready for issuance of Health Care Facility Refunding Revenue Bonds at this time.

Homestead Health Center, Inc., was formed in 1976. The Health Care Corporation was formed by American Baptist Estates, Inc., to own and operate a nursing care facility adjacent to the 187-unit residential retirement center. The facilities provide a continuing care retirement community for older adults. The facility is also licensed as an 80-bed nursing care facility.

Bond proceeds will be used to refund and redeem currently existing debt and pay costs of issuance. The refinancing of the IRB's will result in a significant reduction in annual debt service payments and will shorten their term of indebtedness by one year.

An estimated analysis of the sources and uses of project funds is:

SOURCES OF FUNDS

| | |
|----------------------|-----------|
| Bond Reserve Account | \$145,000 |
| 2002 Bond Issue | 780,000 |
| Funds from Tenant | 20,525 |
| Total Sources | \$945,525 |

USE OF FUNDS

| | |
|-----------------------------------|-----------|
| Retirement of Existing Bond Issue | \$909,525 |
| Underwriter's Fee | 15,500 |
| Cost of Issuance | 20,500 |
| Total cost of Project | \$945,525 |

The firm of Hinkle Elkouri Law Firm, L.L.C. serves as bond counsel in the transaction. Riedel First Securities has agreed to underwrite the bonds. Homestead Health Center has complied with the Standard Conditions contained in the City's IRB Policy.

Homestead Health Center agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. Homestead Health Center does not request property tax abatement in conjunction with the IRBs.

Bond documents required for the issuance of the bonds have been prepared by bond counsel for the project. The City Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

-- carried

Gale moved that the public hearing be closed; first reading of the Bond Ordinance and necessary signatures be approved. Motion carried 7 to 0.

ORDINANCE

An ordinance authorizing the City of Wichita, Kansas, to issue its health care facilities refunding revenue bonds, Series VI, 2002 (Homestead Health Center, Inc.) in the aggregate principal amount of \$780,000 for the purpose of providing funds to refund on a current basis certain health care facility revenue bonds, Series VII, 1994 of the city and pay certain costs of issuance; prescribing the form and authorizing execution of a trust indenture between the City and Intrust Bank, N.A., Wichita, Kansas, as trustee; prescribing the form and authorizing execution of a lease agreement by and between the City and Homestead Health Center, Inc.; approving the form of a guaranty agreement between Homestead Health Center, Inc. and American Baptist Estates, Inc., as guarantors, and the trustee; prescribing the form and authorizing the execution of a bond purchase agreement between the City, Homestead Health Center, Inc., and Riedl First Securities Company of Kansas, Inc., Wichita, Kansas, as purchaser of the Series VI, 2002 bonds, introduced and under the rules laid over.

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COLEMAN IRB

PUBLIC HEARING AND REQUEST FOR LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS – THE COLEMAN COMPANY, INC. (District I)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 02-2029.

On August 10, 1993, City Council approved the issuance of a Letter of Intent for IRBs in an amount not to exceed \$80 million, issued to the Coleman Company, Inc. with a five year term, and approved a ten-year 100% property tax abatement for property financed with IRBs. Between 1993 and 1998, \$76 million IRBs were issued to finance the construction of a new corporate headquarters, the expansion of existing manufacturing facilities and the purchase of additional machinery and equipment for its manufacturing facilities in Wichita and Maize. On October 19, 1999, City Council approved an additional four-year Letter of Intent in an amount not-to-exceed \$45 million and a 100% five-plus-five-year ad valorem tax exemption on bond financed property. Between 1999 and 2001, \$33 million IRBs were issued for additional manufacturing improvements and the purchase of machinery and equipment. The current balance available under the existing letter of intent is \$16.7 million.

The Coleman Company, is now asking the City to issue a new Letter of Intent, for a two-year term, in an amount not-to-exceed \$10,000,000. The bond proceeds will be used for the redesign of factory space and for the purchase of additional manufacturing equipment, primarily machinery, tooling and technological equipment. In addition, pursuant to an existing Interlocal Cooperation Agreement between the City of Maize and the City of Wichita, the Coleman Company requests the City Council to issue Industrial Revenue Bonds in the amount not-to-exceed \$8,500,000 to finance improvements and equipment at the Coleman facilities located in the City of Maize. Coleman also requests a 100% five-plus-five year property tax exemption on the new IRB financed property.

The Coleman Company, Inc. is engaged in the manufacturing and distribution of outdoor recreational products. The Company's principal products include a comprehensive line of pressurized lighting, cooling and heating appliances for camping and outdoor recreational use (such as Coleman lanterns and stoves), fuel-related products, including disposable propane-filled cylinders, a broad range of insulated food and beverage containers, portable electric lights, and other products for recreational use and do-it-yourself markets.

In early 2002, the Coleman Company began a series of steps to reestablish its worldwide headquarters in Wichita. The Wichita based management team assumed direction of international operations in January 2002. Transition of corporate functions from Sunbeam's Florida office to Coleman's Wichita office is underway and will continue over the next few years. The Coleman Company has moved some of its corporate offices to the former Thorn America complex at 37th Street North and Rock Road and will be expanding to accommodate increasing management functions.

Coleman expects to add 20 additional new jobs to their Wichita facilities as a result of this expansion. Coleman exports 99% of its products out of the state of Kansas.

The following analysis shows the use of project funds at the Wichita facilities:

USES OF FUNDS

| | |
|-----------------------------------|--------------|
| Building Improvements | \$700,000 |
| Machinery, Furniture and Fixtures | |
| Equipment and Tooling | 9,300,000 |
| Total Cost of Project | \$10,000,000 |

The bonds will be purchased by the Coleman Company and not reoffered to the public. The Coleman Company, agrees to comply with all conditions contained in the Standard Letter of Intent Conditions contained in the City's IRB Policy.

The Coleman Company, Inc. agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. In conjunction with the bond issue, the

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Coleman Company is requesting a five-plus-five-year 100% tax exemption on all bond-financed property.

The estimated first year taxes on the proposed \$10,000,000 expansion would be \$20,387, on real property improvements and \$232,129 on personal property, based on the 2001 mill levy. Using the allowable tax exemption of 100 percent, the City would be exempting (for the first year) \$252,516 of new taxes from the real and personal property tax rolls. The tax exemption would be shared among the taxing entities as follows: City – \$68,221; County/State - \$65,242; and USD 259 - \$119,053.

Wichita State University Center for Economic Development and Business Research calculated a cost-benefit analysis indicating benefit-to-cost ratios, which are as follow:

| | |
|-----------------|-------------|
| City of Wichita | 1.35 to one |
| Sedgwick County | 1.51 to one |
| USD 259 | 2.03 to one |
| State of Kansas | 3.92 to one |

Bond documents will be prepared by Hinkle Elkouri Law Firm L.L.C., bond counsel for the project. The City Attorney's Office will review all final documents prior to issuance of the bonds.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Brewer moved that the public hearing be closed and a six-month Letter of Intent to the Coleman Company, Inc. for the issuance of Industrial Revenue Bonds in an amount not-to-exceed \$10 million, and grant a 100% tax exemption on all bond-financed property for a five-year term, plus a second five years subject to City Council review, and subject to Standard Letter of Intent conditions, be approved. Motion carried 7 to 0.

-- carried

RAND GRAPHICS IRB Public Hearing and Issuance of Industrial Revenue Bonds – Rand Graphics, Inc. (Districts IV,V)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 02-2020.

On March 27, 2001, City Council approved a Letter of Intent to issue Industrial Revenue Bonds (IRBs) in the amount not-to-exceed \$10,000,000, for a four-year term, and approved a 100% five-plus-five year property tax abatement to Rand Graphics, Inc. On November 20, 2001, City Council approved the issuance of \$4.3 million for the purchase of machinery and equipment to be located in Rand's two printing plants at 2820 South Hoover and 500 South Florence. The company is now requesting issuance of IRBs to finance the 2002 expenditures, in the amount of \$2,355,000.

Rand is a graphics arts and commercial print and screen products manufacturing company. Rand offers full creation and production and fulfillment services to its customers as well as complete finishing operations. Much of Rand's recent growth has come from its screen-printing division. Among other items, Rand manufactures large and small banners and life size point of sale displays. Customers include Chevron, Hallmark, Inc., Chrysler Corporation, Apple Computer, WalMart, and Nabisco. Rand exports over 80% of its products outside the State of Kansas.

The 2002 bond proceeds will be used for the purpose of paying the costs of purchasing and installing additional machinery and equipment to be located at Rand's two printing plants at 2820 South Hoover and 500 South Florence. Some equipment purchases includes a 5/Color M&R Processor, Fuji Finalproof A-2, Polar Jogger RA-6, and a Standard VAC 100A Horizon Tower Collator.

Rand Graphics, Inc. currently employs 188 people at its Wichita facilities. Current expansion plans for Rand, forecasts an increase in employment at the Wichita facility of approximately 32 people over the next five years.

Rand has a current approved EEO/AA Plan on file with the City's Purchasing Department.

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Sources and uses of funds are estimated as follows:

SOURCES OF FUND

| | |
|-----------------------------------|-------------|
| *Industrial Revenue Bond Proceeds | \$2,355,000 |
| *Company Funds | 15,358 |
| Total Project Funding | \$2,370,358 |

USES OF FUNDS

| | |
|--------------------------|-------------|
| *New Machinery Equipment | \$2,353,059 |
| *Cost of Issuance | 17,299 |
| Total Cost of Project: | \$2,370,358 |

Rand Graphics plans to privately place the bonds with a local financial institution. The firm Triplett, Woolf & Garretson, L.L.C., Law Firm will serve as bond counsel in the transaction. Rand Graphics, Inc., has complied with the City requirement contained in the Standard Letter of Intent Conditions.

Rand Graphics, Inc. agrees to pay all costs of issuing the bonds and the City's \$2,500 annual IRB administrative fee for the term of the bonds. City Council has approved a 100% tax abatement for a five-year term, plus a second five years subject to City Council review.

Over the term of the requested abatement, the amount of taxes abated on the proposed \$2,355,000 are estimated to be \$ on personal property, based on the 2001 mill levy. Using the allowable tax exemption of 100 percent, the City would be exempting (for the first year) \$58,732 of new taxes from the personal property tax rolls. The tax exemption will be shared among the taxing entities as follows: City - \$15,867; County/State - \$15,175; and USD 259 - \$27,690.

Bond documents needed for the issuance of the bonds have been prepared by bond counsel for the project. The City Attorney's Office will review and approve the final form of bond documents prior to the issuance of any bonds.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Gale moved that the public hearing be closed; the Ordinance be placed on first reading; and the necessary signatures be authorized. Motion carried 7 to 0.

ORDINANCE

An Ordinance authorizing the City of Wichita, Kansas, to issue its taxable industrial revenue bonds in the aggregate principal amount of \$2.355 million for the purpose of providing funds to purchase and install certain machinery and equipment in a commercial printing facility located in the City of Wichita, Kansas; prescribing the form and authorizing execution of a trust indenture by and between the City and First National Bank of Hutchinson, Hutchinson, Kansas, as trustee, with respect to the bonds/ prescribing the form and authorizing the execution of an easement and agreement by and between Rand Graphics, Inc., and the City; approving the form of a guaranty agreement by and between Rand Graphics, Inc., and the trustee; and authorizing the execution of a bond placement agreement by and between the City, Rand Graphics, Inc., and Emprise Bank, Wichita, Kansas, as purchaser of the bonds, introduced and under the rules laid over.

CONDEMNATIONS

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Kurt Schroeder

Superintendent of Central Inspection reviewed the Item.

Agenda Report # 02-2021.

On October 1, 2002 a report was submitted with respect to the dangerous and unsafe conditions on four (4) properties. The Council adopted resolutions providing for a public hearing to be held on these condemnation actions at 9:30 a.m. or as soon thereafter, on November 19, 2002.

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On September 9, 2002, the Board of Code Standards and Appeals (BCSA) held a hearing on the following properties:

| Property Address | Council District |
|--------------------|------------------|
| 1. 2518 E. Mossman | I |
| 2. 1908 S. Waco | III |
| 3. 2101 S. Waco | III |
| 4. 1543 S. Edwards | IV |

Pursuant to State Statute the Resolutions were duly published twice on October 2, 2002 and October 9, 2002. A copy of each resolution was sent by certified mail or given personal service delivery to the owners and lien holders of record of each described property.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- Knight moved that on Items 1 and 2, the public hearing be closed; the BCSA recommended action to proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structure be approved; and the Resolutions be adopted. Motion carried 7 to 0.
-- carried

RESOLUTION NO. 02-495

Resolution finding that the structure described as: the east 52 feet of the west 78 feet of the south ½ of Lot 7, Mossman's Addition to Wichita, Sedgwick County, Kansas, commonly known as 2518 East Mossman, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 02-496

Resolution finding that the structure described as: the south 9 feet of Lot 151, all of Lot 153, and the north 8 feet of Lot 155 on Waco English's 8th Addition, to Wichita, Sedgwick County, Kansas, commonly known as 1908 south Waco, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

3) 2101 South Waco

Kurt Schroeder Superintendent of Central Inspection reviewed the Item.

The new owner wants to repair and pay the back taxes. Central Inspection recommends 60 days to complete repairs.

Motion -- Lambke moved that the public hearing be closed; and 60 days be given to complete repairs; the back taxes be paid within two weeks; and the Resolution be adopted. Motion carried 7 to 0.
-- carried

RESOLUTION NO. 02-497

Resolution finding that the structure described as: Lots 90-92, Waco Avenue, English's 9th Addition, to Wichita, Sedgwick County, Kansas, commonly known as 2101 South Waco, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Lambke moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

4) 1543 North Edwards

Kurt Schroeder Superintendent of Central Inspection reviewed the Item.

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A potential buyer requests time to close the sale and complete repairs. Central Inspection recommends 30 days to close the sale and an additional 30 days to complete repairs.

Motion --
-- carried

Gale moved that the public hearing be closed; 30 days be given to close the sale and an additional 30 days be given to complete repairs be approved; and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-498

Resolution finding that the structure described as: Lots 185-187, Simmons Ave., Richmond's Third Addition, to Wichita, Sedgwick County, Kansas, commonly known as 1543 South Edwards, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Gale moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

DRAINAGE OUTFALL FIRST AND SECOND STREET WEST DRAINAGE OUTFALL. (Districts IV, VI)

Steve Lackey

Director of Public Works reviewed the Item.

Agenda Report No. 02-2022.

In September 2000, MKEC Engineering Consultants submitted to the City a master drainage plan for the area bounded by Kellog (on the South), the Big Ditch (on the West), Zoo Boulevard and Central (on the North), and the Arkansas River (on the East). The master plan recommended the construction of several drainage projects including one in the First and Second Street West corridor between West Street and Athenian, with the outlet being near Athenian and the Arkansas River. This project is included in the 2002 to 2011 CIP (SW862001) with \$750,000 for design in 2002, and \$10,590,000 for construction in 2004-2005. On March 19, 2002, the City Council authorized the design phase of the project for \$750,000. On August 20, 2002, the Council approved a design contract with Baughman Company for \$240,000.

The first phase of the design contract included a study of storm sewer pipe alignment alternatives within the corridor area. After studying the area and meeting with utility company representatives, the consultants concluded that the most cost effective location for the east-west portion of the storm sewer would be along First Street (as opposed to Second Street). The consultants presented their findings to a joint meeting of the Council District Advisory Boards IV & VI, on September 18, 2002. The advantages of the First Street location were less utility conflicts, less street paving to remove and replace, and less inconvenience to neighborhoods. The principal disadvantage to that location is that it would require easements across or the purchase of three parcels of land, two of which are residential with the other being commercial. The consultants recommended the First Street corridor and the DAB's unanimously approved their recommendation. It is estimated that the First Street location will save about \$1,000,000 in construction costs over the Second Street alternative.

The acquisition of right-of-way or easements was not initially considered when the project was scheduled in the CIP. Staff estimates that this cost should not exceed \$250,000. The project has been authorized to date for \$750,000, with the engineering design fee being \$240,000. Thus, there are sufficient funds currently authorized to cover both design and right-of-way needs.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that the project location be approved and acquisition of drainage easements and/or right-of-way be authorized. Motion carried 7 to 0.

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CENTRAL AVE. CENTRAL AVENUE IMPROVEMENT – BETWEEN MAIZE AND TYLER. (District V)

Steve Lackey Director of Public Works reviewed the Item.

Agenda Report No. 02-2023.

The 2003 Capital Improvement Program includes funding to improve Central Avenue between Maize and Tyler. On April 8, 2002, District V Advisory Board considered the project. The Board voted 7-0 to recommend approval.

The project consists of widening Central to provide four through lanes and a center two-way left turn lane. A new storm water sewer system will be installed. The available right-of-way will be landscaped. The project is scheduled for letting this winter with completion next summer. When completed, Central will be a five-lane roadway from McLean Boulevard to Maize Road.

The project budget contained in the Capital Improvement Program is \$2,950,000, with \$700,000 paid by the City and \$2,250,000 by Federal Grants administered by the Kansas Department of Transportation.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- Martz moved that the project and first reading of the Ordinance be approved; and the necessary
-- carried State/Federal contracts and signatures be authorized. Motion carried 7 to 0.

ORDINANCE

An Ordinance declaring Central Avenue, between Maize Road and Tyler Road (472-83659) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

WATER/SEWER RATE PROPOSED WATER/SEWER RATE ADJUSTMENTS.

David Warren Director of Water and Sewer reviewed the Item.

In December, 2001, the City Council considered water and sewer rate adjustments to address major capital costs associated with the refurbishment of existing water and sewer infrastructure needs and the expansion of utility service to accommodate urban growth. The adopted 2003 budget provided for rate adjustments for both utilities to continue capital investments in both water and sewer utilities.

Staff analysis show that the City's utilities are facing an "intergenerational equity" issue, meaning the current utility customers are bearing a disproportionate share of the costs associated with financing major capital improvements that will benefit future utility customers. This results in short-term financial impacts in terms of the urgency to increase rates. The City Council has previously approved several other revenue enhancement measures to reduce the size of rate increases over the next several years. These other revenue actions included increasing tap fees to fully fund the cost of new tap service; utilizing temporary note financing to level the bonding requirements over the next several years; and increasing the outside-the-City rate differential due to the increasing cost of serving outlying areas over a wide area and with a diverse topography. In August 2002, the Council approved an increase in the plant equity fees to more fully reflect the significant additional capital investments that have been made in the utilities since the last plant equity fee calculation was completed.

The water rate increase approved by the City Council in 2002 was 3 percent, a 40 percent reduction from the original projection of 5 percent. The approved sewer rate increase was 4 percent, a 50 percent reduction from the earlier projection of an 8 percent increase. Finally, the December 2001 action noted that annual rate increases would be required over the next few years to implement the approved operating and capital budget plans.

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The Water and Sewer Utilities have initiated (or will soon initiate) numerous major capital improvement projects. The Water Supply Plan includes \$18 million of projects, the first phase of which is the Aquifer Storage and Recovery (ASR) project. Replacement of the 66-inch raw water line to transport water from the Equus Beds is estimated to cost \$12 million over the next two years. Nearly \$5 million will be spent on various water distribution projects, and an additional \$4.5 million is budgeted for the Webb Road satellite pump station. Finally, the project to relocate Water Distribution is currently underway at a cost of \$5.3 million.

The number of sewer projects to be initiated is also extensive. Approximately \$2.7 million will be spent on upgrading the northwest sewage treatment capabilities, particularly Basin 4 improvements and completion of projects currently underway. The Four Mile Creek collection system and treatment plant improvements is projected to cost \$7.9 million, and improvements to Plant #1 are estimated at \$5.0 million. Finally, needed reconstruction of the War Industries Sewer will require \$3.5 million to complete.

The (above) specific projects are in addition to the usual replacement and reconstruction projects necessary to operate an efficient utilities system; these costs total about \$7.5 million annually in each utility. The utilities will also need to permanently finance current projects through the issuance of bonds. Debt service requirements will be included in future operating budgets. [estimates are incorporated in future budgets, but those numbers will be refined when exact bond amounts and interest rates are determined.]

The extensive and needed capital project list for both the Water and Sewer Utilities require a rate increase for 2003. Before alternative financing mechanisms were approved by the City Council, staff projected increases in 2003 of five (5) percent for the Water Utility and six (6) percent for the Sewer Utility. Based on past Council action, staff recommends the rate increase for both Utilities to be reduced to three (3) percent.

The proposed rate increase recommended in the adopted 2003 budget fully funds the operating and capital program for the Water and Sewer Utilities for 2003. Additional rate increases of 3 percent for each utility are anticipated for 2004. The City Council will have an opportunity to review the utility rates during the budget process and again before any rate adjustments.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that the rate adjustments as approved in the 2003 adopted Budget be approved; and the Ordinances be placed on first reading.. Motion carried 7 to 0.

ORDINANCE

An Ordinance amending Section 16.14.040 of the Code of the City of Wichita, Kansas, relating to the schedule of rates for users of the sanitary sewer system, and repealing the original of said section, introduced and under the rules laid over.

ORDINANCE

An Ordinance amending Section 17.12.090 of the Code of the City of Wichita, Kansas, pertaining to schedule of rates and charges for water service, and repealing the original of said section, introduced and under the rules laid over.

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LICENSE PLATES FIRST READING ORDINANCE – AMENDMENT – STATE LICENSE PLATE REQUIRED.

Gary Rebenstorf Director of Law reviewed the Item.

Agenda Report # 02-2025.

The State legislature has amended the state statute to make the display of second personalized license plates on the front of a vehicle optional.

It is necessary to amend this city ordinance to conform with K.S.A. 8-132, relating to State license plates required.

The ordinance was prepared and approved as to form by the Department of Law.

Mayor Knight Mayor Knight inquired whether anyone wished to speak and no one appeared.

Motion -- Knight moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance amending section 11.38.300 of the Code of the City of Wichita, Kansas, pertaining to state license plate required, introduced and under the rules laid over.

OFF AGENDA ITEM TRASH SERVICE

FRANCHISING TRASH SERVICE.

Motion -- carried Knight moved that the rules be set aside and an off agenda item be brought up. Motion carried 7 to 0.

Council Member Pisciotte Council Member Pisciotte said franchising trash service was brought up at an August workshop. The topic was then taken to District Advisory Boards (DABs). The DABs unanimously recommended that the City not engage in franchising at this time.

Council Member Gale Council Member Gale said he had seen potential advantages of franchising such as cost to consumers and impact on residential streets. Some advantages can be achieved without franchises. Council Member Gale requested support in asking Staff look at the issue of a just-compensation ordinance. A just-compensation ordinance would address the risk of putting businesses out of business and possible loss of jobs.

Motion -- Gale moved that the current free enterprise system be maintained and discussions on franchising trash service stop at this time.

Council Member Fearey Council Member Fearey said she did not understand why the City cannot continue to look at the issue. Neighborhood groups are in favor of looking at what is best for them. Council Member Fearey said she had assured some neighborhood groups that the City Council is just looking at the issue. It is disappointing that the City cannot look into matter to see what would be best for the City

Council Member Pisciotte Council Member Pisciotte said there are points of misinformation in the community. If there is to be community dialogue, it should be based on correct information. Franchising trash service is not a City Council initiative, nor is it a City of Wichita initiative. Council action would only take the issue off of the City Council's formal agenda and would not prevent any community dialogue.

Subst. Motion -- Fearey moved a substitute motion that the City Council work with Sedgwick County to look into
-- died franchising trash service. Substitute motion died for lack of a second.

Amendment -- Gale moved an amendment to the original motion that Staff be asked to look at the idea of a just-compensation ordinance.

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Council Member Gale Council Member Gale said a just-compensation ordinance could eliminate concern and trash companies' fears.

-- carried

Motion, as amended, carried 6 to 1. Knight – No.

CITY COUNCIL AGENDA

APPOINTMENTS

BOARD APPOINTMENTS.

Motion --

-- carried

Knight moved that the appointments of Laura Simpson – DAB III (Lambke), and Sandy Swank – Offender Re-entry Task Force/Housing appointment (Fearey) be approved. Motion carried 7 to 0.

CONSENT AGENDA

Knight moved that the Consent Agenda, including Addendum Item 28a, except 23j, be approved as consent Items. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED NOVEMBER 18, 2002.

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications

CDBG lighting improvements at Minisa Park, Woodland Park, Evergreen Park, McAdams Park, Lynette Woodard Park, and Planeview Park - Oliver to Seneca, 31st Street South to 29th Street North. (472-83652 /602454/6 02456/ 602458/ 602461/ 602463/ 602465/ 602437/ 010163/ 010165 010167/ 010171/010173/ 010175/010151) Traffic to be maintained during construction using flagpersons and barricades. (District III&VI)

Hackney Electric - \$141,790.00

Water distribution system to serve Carpenters Local Union No. 201 Addition - along Carey Lane, west of Seneca. (448-89710/735077/470747) Traffic to be maintained during construction using flagpersons and barricades. (District IV)

Hardison Ditching - \$17,701.50

Water supply line to serve Skyway Industrial Park, Dugan Industrial Second and Third Additions - along Maize Road, from Pawnee to K-42. (448-89292/735058/470728) Traffic to be maintained during construction using flagpersons and barricades. (District V)

Duling Construction - \$279,952.00

Water supply line to serve Mid-Continent Industrial Park - along Maize Road, from Pawnee to K-42. (448-89673/735059/470729) Traffic to be maintained during construction using flagpersons and barricades. (District V)

Duling Construction - \$231,853.10*

*Negotiated to engineer's estimate

Reconstruction Phase 9 (Various Locations). 468-83540 (620357)

WB Carter Construction - \$166,131.00

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Main 13, Sanitary Sewer #23, Phase 2 and Lateral, 2, Main 13, Sanitary Sewer #23. 468-83262/468-83459 (624072/73942)

Nowak Construction - \$659,412.64

Lateral 3, Main 11, Sanitary Sewer #23 Sawmill Creek Addition. 468-83486 (743948)

JJ Westhoff Construction - \$98,554.00

Water Distribution System Sawmill Creek Addition 448-89712 (735083). 448-89712 (735083)

WBW Contractors – \$37,713.50

Motion --

Knight moved that the contracts be awarded as outlined above, subject to check, same being the lowest and best bids within the Engineer's construction estimate; and the signatures be authorized. Motion carried 7 to 0.

-- carried

VARIOUS DEPARTMENTS/VARIOUS DIVISIONS: Automobiles, Cargo and Mini Vans and Pickup Trucks 130807

Don Hattan Chevrolet, Inc. - \$10,835.00 (Group 1/total base bid)

205 (Group 1/Item 2 Option 1)

\$17,477 (Group 2 and Group 2 A/Item 4)

172 (Group 2&2A/Item 5)

280 (Group 2&2A/Item 6)

Mel Hambelton Ford, Inc. - \$17,300.00 (Group 3 Item 8)

Standard (Group 3 Items 9-10)

\$200.00 (Group 3/Item 11 Option 3)

\$125.00 (Group 3/Item 12 Option 4)

\$ 37.00 (Group 3/Item 13 Option 5)

Included (Group 3/Item 14 Option 6)

Don Hattan Chevrolet, Inc. - \$19,200.00 (Group 4 Item 13 per each)

N/A (Group 4 Item 14 Option 1)

Standard (Group 4 Item 15 Option 2)

Standard (Group 4 Item 16 Option 3)

\$179.00 (Group 4 Item 19 Option 4)

Standard (Group 4 Item 20 Option 5)

Standard (Group 4 Item 21 Option 6)

\$2,575.00 (Group 4 Item 22 Option 7)

Don Hattan Chevrolet, Inc. - \$19,435.00 (Group 5 Item 23 Per Each)

Standard (Group 5 Item 24 Option 1)

\$179.00 (Group 5 Item 25 Option 2)

Standard (Group 5 Item 26 Option 3)

Standard (Group 5 Item 27 Option 4)

N/A (Group 5 Item 28 Option 5)

\$200.00 (Group 5 Item 29 Option 6)

\$2,580.00 (Group 5 Item 30 Option 7)

Rusty Eck Ford, Inc. \$17,468.00 (Group 6 Item 31 Group 6 Per Ea)

Standard (Group 6 Item 32 Option 1)

\$149.00 (Group 6 Item 33 Option 2)

Standard (Group 6 Item 34 Option 3)

Standard (Group 6 Item 35 Option 4)

\$107.00 (Group 6 Item 37 Option 5)

\$196.00 (Group 6 Item 38 Option 6)

\$2,712.00 (Group 6 Item 39 Option 7)

\$2,752.00 (Group 6 Item 36 Option 8)

Don Hattan Chevrolet, Inc. \$24,500.00 (Group 7 Item 40 Group 7 Per Ea)

\$4,034.00 (Group 7 Item 41 Option 1)

\$596.00 (Group 7 Item 42 Option 2)

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Don Hattan Chevrolet, Inc. \$17,350.00 (Group 8 Item 43 Group 8 Per Ea)
\$5,975.00 (Group 8 Item 44 Option 1)
\$640.00 (Group 8 Item 45 Option 2)
\$395.00 (With all Wheel Drive)
Included (Group 8 Item 46 Option 3)
Don Hattan Chevrolet, Inc. \$15,400.00 (Group 9 Item 44 per ea)
\$1,462.00 (Group 9 Item 45 Option/1 each)
Mel Hambelton Ford, Inc. \$24,900.00 (Group 10 Item 49 per ea)
\$ 750.00 (Group 10 Item 50 option 1 each)

HOUSING SERVICES/PUBLIC HOUSING: Interior and Exterior Renovations of 3016 E. 24th Street and 2638 N. Piatt 097824

Arambula Construction Company - \$70,000.00 Total Net Bid

DEPARTMENT OF PUBLIC WORKS/STORM WATER MANAGEMENT: Drainage Improvements Mansfield at Gypsum Creek 660480

Mies Construction Inc. - \$30,124.00 Total Net Bid

DEPARTMENT OF PUBLIC WORKS/FLEET AND BUILDINGS: Elevator Modernization at Century II 130823

River City Elevator - \$43,723.25 Total Net Bid
\$7,628.00 Option 1
\$1,200.00 Option 2

DEPARTMENT OF WATER AND SEWER/SEWAGE TREATMENT: Manure Spreader with undercarriage track system 184754

Foley Equipment Co. – \$1,500.00 Option #1 Total Net Bid Deduct
\$59,751.00 Alternate Total Net Bid

DEPARTMENT OF PARK/REFORESTATION: Trees, Ornamental and Shade 791681

| | |
|--------------------------------|-------------------------------------|
| John Deere Landscapes - | \$ 900.00 (Group 1 Total Net Bid) |
| Complete Landscaping Systems - | \$5,400.00 (Group 2 Total Net Bid) |
| | \$2,670.00 (Group 3 Total Net Bid) |
| Borst Nursery | \$1,490.00 (Group 4 Total Net Bid) |
| John Deere Landscapes - | \$1,700.00 (Group 5 Total Net Bid) |
| Borst Nursery - | \$1,085.00 (Group 6 Total Net Bid) |
| John Deere Landscapes - | \$3,517.50 (Group 7 Total Net Bid) |
| John Deere Landscapes - | \$7,286.00 (Group 8 Total Net Bid) |
| John Deere Landscapes - | \$1,407.00 (Group 9 Total Net Bid) |
| Brady Nursery - | \$3,750.00 (Group 10 Total Net Bid) |
| John Deere Landscapes - | \$3,213.00 (Group 11 Total Net Bid) |
| Brady Nursery - | \$4,000.00 (Group 12 Total Net Bid) |
| Borst Nursery - | \$2,747.50 (Group 13 Total Net Bid) |
| John Deere Landscapes - | \$3,664.00 (Group 14 Total Net Bid) |
| Borst Nursery - | \$5,525.00 (Group 15 Total Net Bid) |
| Valley Tree Farms - | \$ 582.50 (Group 16 Total Net Bid) |
| Valley Tree Farms - | \$3,362.50 (Group 17 Total Net Bid) |
| John Deere Landscapes - | \$4,481.00 (Group 18 Total Net Bid) |
| Valley Tree Farms - | \$ 672.50 (Group 19 Total Net Bid) |
| Valley Tree Farms - | \$ 767.50 (Group 20 Total Net Bid) |
| John Deere Landscapes - | \$2,372.40 (Group 21 Total Net Bid) |
| Borst Nursery - | \$3,597.00 (Group 22 Total Net Bid) |
| John Deere Landscapes - | \$4,396.50 (Group 23 Total Net Bid) |
| John Deere Landscapes - | \$6,045.00 (Group 24 Total Net Bid) |

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| | |
|-------------------------|-------------------------------------|
| John Deere Landscapes - | \$3,297.50 (Group 25 Total Net Bid) |
| John Deere Landscapes - | \$1,846.50 (Group 26 Total Net Bid) |
| Valley Tree Farms - | \$1,430.00 (Group 27 Total Net Bid) |
| John Deere Landscapes - | \$4,616.50 (Group 28 Total Net Bid) |
| Valley Tree Farms - | \$3,362.50 (Group 29 Total Net Bid) |
| Loma Vista Nursery - | \$1,119.80 (Group 30 Total Net Bid) |
| John Deere Landscapes - | \$3,172.00 (Group 31 Total Net Bid) |
| John Deere Landscapes - | \$4,028.00 (Group 32 Total Net Bid) |
| John Deere Landscapes - | \$3,724.20 (Group 33 Total Net Bid) |
| John Deere Landscapes - | \$6,466.00 (Group 34 Total Net Bid) |
| John Deere Landscapes - | \$3,233.00 (Group 35 Total Net Bid) |
| John Deere Landscapes - | \$4,924.20 (Group 36 Total Net Bid) |
| Borst Nursery - | \$2,687.50 (Group 37 Total Net Bid) |
| John Deere Landscapes - | \$2,537.70 (Group 38 Total Net Bid) |
| John Deere Landscapes - | \$1,626.80 (Group 39 Total Net Bid) |

DEPARTMENT OF WATER AND SEWER/PRODUCTION AND PUMPING 183632: Anydrous Ammonia (Bulk Delivery) 183632

Larouche Industries, Inc. - \$500.00 (Unit Price Per Ton)

WICHITA AIRPORT/AIRPORT OPERATION: Two (2) Motorola MT S2000 Model III 800 MHz Radios and Equipment Totaling \$5,933.64, Two (2) Motorola MTS2000 Model I 800 Mhz Radios and Equipment plus one Vehicular Charger totaling \$4,845.48, and Two (2) Motorola MCS2000 800 MHz Radios and Equipment totaling \$5,567.12

State of Kansas Contract #28440,800 - \$16,346.24

DEPARTMENT OF PUBLIC WORKS/TRAFFIC MAINTENANCE: Paint East Douglas Light Poles and Fixtures 132217

Rickert Industrial Coating, Inc. - \$7,200.00

DEPARTMENT OF PARK AND RECREATION: Replace Light Fixtures and Refinish Light Poles at Heritage Square Park 785026

Shelley Electric, Inc. - \$16,288.00 (Group 1 Total Net Base Bid)
\$ 835.00 (Option 1 Total Net Bid)

DEPARTMENT OF PUBLIC WORKS/STORM WATER MANAGEMENT: Storm Water Pump Station No. 1 Modifications Replace Pump No. 1 & 5 Motors and Starters (660787)

Southwestern Electrical Co. - \$54,716.00

DEPARTMENT OF FINANCE/GOLF: Greens Mowers 210200

Turf Professionals Equipment Co. - \$126,486.00 (Group 1 Total Net Base Bid)
\$ 1.00 (Option #2 Total Net Bid)
< 14,00.00 > (Option #3 Total Net Bid)

FIRE DEPARTMENT/MAINTENANCE: Firefighter Protective Clothing 070136

Danko Municipal Emergency Service - \$63,556.35 (Group 1 Total Net Bid)
\$23,142.00 (Group 2 Total Net Bid)
\$ 4,203.00 (Group 3 Total Net Bid)
\$ 1,346.00 (Group 4 Total Net Bid)
\$ 1,682.00 (Group 5 Total Net Bid)

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Mid-America Fire Apparatus and Equipment

\$ 5,459.60 (Group 6 Total Net Bid)

DEPARTMENT OF PUBLIC WORKS/LANDFILL: Mowing and Landscape Maintenance for Brooks Landfill 131384

JSB Landservices - \$54,880.00 (Group 1 Total Net Base Bid)
290.00 (Option 1 Total Net Bid)

DEPARTMENT OF PUBLIC WORKS/STORM WATER MANAGEMENT: Drainage Improvements Fabrique at Funston 660481

WB Carter Construction - \$13,131.00 (Total Net Bid)

POLICE DEPARTMENT/SPECIAL INVESTIGATIONS: Microwave Pole Camera System and Receiver Unit 602140

Dell-Star Technologies - \$22,500.00

POLICE DEPARTMENT/LABORATORY: Cyanoacrylate Fuming Chamber with Acessories 602140

Misonix Inc. - \$14,939.00

DEPARTMENT OF PUBLIC WORKS/STORM WATER MANAGEMENT: 24" Rip Rap 133224

Martin Marietta Aggregates - \$95,290.00

DEPARTMENT OF PARK AND RECREATION: Sod for Bridgeport Soccer Fields 785019

Complete Landscaping Systems - \$47,432.00

AIRPORT AUTHORITY/ENGINEERING: Boarding Device for Airline Passengers with mobility impairments 501090

Harvaire Inc. - \$42,990.00 (Total Net Bid)

Knight moved that the contracts be awarded as outlined above, same being the lowest and best bid, and the signatures be authorized. Motion carried 7 to 0.

LICENSE APPS.

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

| Renewal | 2002 | (Consumption on Premises) |
|---------|------|---------------------------|
|---------|------|---------------------------|

| | | |
|------------------|---------------------------|----------------------------|
| John J. Murphy | Pizza Hut #301007* | 550 North West Street |
| John J. Murphy | Pizza Hut #301008* | 1708 East Pawnee |
| John J. Murphy | Pizza Hut #301020* | 8977 West Central |
| John J. Murphy | Pizza Hut #301046* | 333 East 47th Street South |
| John J. Murphy | Pizza Hut #301065* | 2181 North Rock Road |
| John J. Murphy | Pizza Hut #301073* | 1035 North Broadway |
| Latif Abdelmaseh | Abram Café* | 6249 East 21st Street |
| Carmen Rosales | Connie's Mexico Café* | 2227 North Broadway |
| Eugene J. Pelz | Siesta Steak & Lounge* | 15130 West HWY 54 |
| Michael J. Keays | Godfather's Pizza #17019* | 2106 Amidon |

| Renewal | | (Consumption off Premises) |
|---------|--|----------------------------|
|---------|--|----------------------------|

| | | |
|-----------|---|--------------------|
| Phil Near | Crescent Oil Company Inc. Dba Jump Start #19 | 1020 West Sycamore |
|-----------|---|--------------------|

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New Operator 2002 (Consumption off Premises)

James J. Schartz C Mart #201 8330 East Kellogg
James J. Schartz C Mart #205 7101 East Lincoln
James J. Schartz C Mart #210 10723 West HWY 54

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion -- carried Knight moved that the licenses be approved subject to Staff review and approval. Motion carried 7-0.

PLANS AND SPECS. SUBDIVISION PLANS AND SPECIFICATIONS.

There were no plans and specifications submitted.

PRELIM. ESTIMATES PRELIMINARY ESTIMATES:

- a) Install traffic signal at the intersection of 21st Street North and 119th Street West - 21st Street North and 199th Street West. (472-83609/710216/231078) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$105,000.00
- b) Replace sidewalk at the northeast corner of Douglas and Wabash to serve Mathewson's Addition - Northeast Corner of Douglas and Wabash. (472-83616/765751/490862) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$8,500.00
- c) Four Mile Creek Collection System Improvements (Phase B) - south of 13th Street North, east of 127th Street East. (468-83494/624076/652538) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$130,700.00
- d) Remington Lane from the northwest line of Lot 13, Block D, west to the east line of Kentucky Lane; Bluegrass from the southwesterly line of Bluegrass Court, west to the east line of Kentucky Lane; Kentucky Lane from the west line of Bluegrass, north to the north line of the plat; Remington Lane Court from the north line of Remington Lane, north to and including the cul-de-sac; Bluegrass Court from the north line of Bluegrass, north to and including the cul-de-sac, and; sidewalk along one side of Remington Lane from the northwesterly line of Lot 13, Block D, to the east line of Kentucky Lane, on Bluegrass from the southwesterly line of Bluegrass Court, west to the east line of Kentucky Lane, and on Kentucky Lane from the west line of Bluegrass, north to the north line of the plat to serve Highland Springs Second Addition - south of Central, west of 135th Street West. (472-83144/765750/490861) Does not affect existing traffic. (District V) - \$281,000.00
- e) Lateral 39, Main 24, War Industry Sewer to serve The Waterfront Addition - north of 13th Street North, east of Webb. (468-83495/743946/480634) Does not affect existing traffic. (District II) - \$68,000.00
- f) Lateral 462, Southwest Interceptor Sewer to serve Evergreen Addition Phase IV - north of 21st Street North, west of Maize Road. (468-83148/743947/480635) Does not affect existing traffic. (District V) - \$115,700.00
- g) Storm Water Sewer #528 to serve Highland Springs Second Addition - south of Central, west of 135th Street West) (468-83034/751319/485210) Does not affect existing traffic. (District V) - \$108,000.00
- h) Water distribution system to serve Evergreen Addition Phase IV - north of 21st Street North, west of Maize Road. (448-89490/735081/470751) Does not affect existing traffic. (District V) - \$102,500.00

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- i) 2002 sanitary sewer reconstruction, Phase 8 - south of 21st Street North, west of Woodlawn. (468-83531/620355/662478) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,III,VI) - \$320,000.00
- j) 2002 sanitary sewer rehabilitation, Phase G - south of 29th Street North, west of Woodlawn. (468-83536/620356/662479) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,III,VI) - \$219,000.00
- k) 20 inch water supply line in 159th Street East - 159th Street East at Kellogg. (448-89705/635642 /762698) Traffic to be maintained during construction using flagpersons and barricades. (District County) - \$205,715.00
- l) Improving Hydraulic from MacArthur to 47th South, Phase III - Hydraulic and MacArthur. (472-83324/706810/636111/622079/201275/772067/671005) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$3,205,788.00

Motion -- carried

Knight moved that the preliminary estimates be approved and filed. Motion carried 7 to 0.

STMNTS OF COST

STATEMENTS OF COST:

- a. Waterwalk Improvements. Total Cost - \$5,250,765.47; (plus idle fund interest - \$7,918.01; plus temporary note financing - \$85,713.52, less financing previously issued - \$4,624,800.00, less projects/grants/transfers - \$562,527.00). Financing to be issued at this time - \$157,070.00. (791467/435-175).
- b. 2001 Street Rehab Program. Total Cost - \$498,079.89; (plus idle fund interest - \$4,600.11; less 2002 LST-Arterial/Bridge TR - \$502,680.00, less financing previously issued - \$0). Financing to be issued - \$0 (706818/472-83366/201-284).
- c. 21st Street North, Hood to Broadway (Design). Total Cost- \$75,410.00; (less idle fund interest - \$432.68; plus temporary note financing - \$2,122.68, less financing previously issued - \$73,500.00). Financing to be issued at this time - \$3,600.00 (706515/472-82783/405-205).
- d. 47th Street South and Palisade Signal. Total Cost - \$70,003.79; (plus idle fund interest - \$1,768.90; plus temporary note financing - \$1,625.11, less transfer from DSF - \$68,500.00, less financing previously issued - \$0). Financing to be issued at this time - \$1,360.00. (706807/472-83261/200-272).
- e. 21st Street North, 119th to Maize Road (Design). Total Cost - \$89,176.74; (plus idle fund interest \$1,896.74; less financing previously issued - \$80,000.00). Financing to be issued at this time - \$7,280.00 (706776/472-83138/200-261).
- f. Central, Tyler to Woodchuck (Design). Total Cost - \$37,618.91; (plus idle fund interest \$338.91; less financing previously issued - \$30,000.00). Financing to be issued at this time - \$7,280.00 (706777/472-83148/200-262).
- g. 2000/2001 Sidewalk and Wheelchair Ramp Construction. Total Cost - \$712,810.27; (plus idle fund interest - \$2,290.65; plus temporary note financing - \$9,259.08; less transfer from DSF - \$500,000.00, less financing previously issued - \$200,000.00). Financing to be issued at this time - \$24,360.00. (706806/472-83270/200-280).
- h. 2001 Enhanced Street Maintenance. Total Cost - \$1,200,000.00; (less interfund transfers - \$1,200,000.00). Financing to be issued at this time - \$0. (706809/405-274).
- i. Wichita Street, Dewey to Lewis (Design). Total Cost - \$76,846.00; (plus idle fund interest - \$1,473.84; plus temporary note financing - \$960.16; less interfund transfers - \$35,000.00, less financing previously issued - \$40,000.00). Financing to be issued at this time - \$4,280.00. (706773/472-82938/209-234).

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j. 21st Street, east of Webb. Total Cost – \$800,000.00; (plus idle fund interest - \$2,564.45; plus temporary note financing - \$3,725.55; less financing previously issued - \$795,000.00). Financing to be issued at this time - \$11,290.00. (706655/472-82886/208-219).

k. 21st Street, Hillside to Oliver (Design). Total Cost – \$65,000.00; (plus idle fund interest - \$1,400.00; less financing previously issued - \$60,000.00). Financing to be issued at this time - \$3,600.00 (706785/472-83162/200-265).

Motion -- carried

Knight moved that the Statements of Cost be received and filed. Motion carried 7 to 0.

PARTIAL STATEMENTS OF COST:

a. (First Partial) Estimate of Cost for improving 29th Street North, Maize to Tyler (Design) - \$20,000; less financing previously issued - \$0. Financing to be issued at this time - \$20,000. (706837/472-83505/202-303).

b. (First Partial) Estimate of Cost for improving Central, Woodlawn to Rock Road (Design) - \$80,000; less financing previously issued - \$0. Financing to be issued at this time - \$80,000. (706838/472-83506/202-304).

c. (Second Partial) Estimate of Cost for improving 2002 Sidewalks and Wheelchair Ramps - \$425,000; less financing previously issued - \$375,000. Financing to be issued at this time - \$50,000. (706828/472-83437/202-294).

d. (First Partial) Estimate of Cost for improving 2002 Street Rehab Program - \$275,000; less financing previously issued - \$0. Financing to be issued at this time - \$275,000. (706836/472-83495/202-302).

e. (First Partial) Estimate of Cost for improving Rock Road, 32nd Street North to K-96 Expressway - \$319,606; less financing previously issued - \$194,606. Financing to be issued at this time - \$125,000. (706830/472-83439/201-296).

f. (First Partial) Estimate of Cost for improving Rock Road, 21st to 29th Street (Design) - \$50,000; less financing previously issued - \$0. Financing to be issued at this time - \$50,000. (706844/472-83539/202-310).

(Item 17 continued)

g. (First Partial) Estimate of Cost for improving Two-Way Main Street, Douglas to Murdock (Design) - \$72,000; less financing previously issued - \$0. Financing to be issued at this time - \$72,000. (706839/472-83507/202-305).

h. (First Partial) Estimate of Cost for improving 29th Street North, Rock Road to Webb Road - \$15,000; less financing previously issued - \$0. Financing to be issued at this time - \$15,000. (706841/472-83519/202-307).

i. (Second Partial) Estimate of Cost for improving West Douglas Streetscape (Design) - \$175,000; less financing previously issued - \$75,000. Financing to be issued at this time - \$100,000. (706825/472-83148/201-291).

j. (First Partial) Estimate of Cost for Intelligent Transportation System - \$12,000; less financing previously issued - \$0. Financing to be issued at this time - \$12,000. (706826/472-83413/201-292).

k. (Third Partial) Estimate of Cost for 2001 Arterial Street Design Program (Design) - \$210,000; less financing previously issued - \$140,000. Financing to be issued at this time - \$70,000. (706811/472-83314/201-276).

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- l. (Second Partial) Estimate of Cost for improving Lincoln Street Bridge at Fabrique - \$171,806; less KDOT reimbursements- \$106,806, less financing previously issued - \$30,000. Financing to be issued at this time - \$35,000. (715685/472-83400/241-099).
- m. (First Partial) Estimate of Cost for improving Central, Tyler to Woodchuck - \$485,000; less financing previously issued - \$0. Financing to be issued at this time - \$485,000. (706835/472-83192/202-301).
- n. (First Partial) Estimate of Cost for 21st and 119th Street Signals - \$50,000; less financing previously issued - \$0. Financing to be issued at this time - \$50,000. (710216/472-83609/231-078).
- o. (Second Partial) Estimate of Cost for improving Central and Rock Road Intersection - \$1,266,592; less KDOT Reimbursements - \$966,592; less financing previously issued - \$275,000. Financing to be issued at this time - \$25,000. (706819/472-83393/201-285).
- p. (First Partial) Estimate of Cost for 2001 Traffic Signals-Phase 1 - \$25,000; less financing previously issued - \$0. Financing to be issued at this time - \$25,000. (710215/472-83367/231-077).
- q. (First Partial) Estimate of Cost for improving Douglas, Seneca to McLean - \$20,000; less financing previously issued - \$0. Financing to be issued at this time - \$20,000. (706846/472-83608/202-312).
- r. (First Partial) Estimate of Cost for improving Hillside, Kellogg to Central - \$45,000; less financing previously issued - \$0. Financing to be issued at this time - \$45,000. (706834/472-83453/202-300).
- s. (First Partial) Estimate of Cost for improving 53rd Street Bridge at Little Arkansas River - \$270,000; less financing previously issued - \$0. Financing to be issued at this time - \$270,000. (715684/472-83401/241-100).
- t. (First Partial) Estimate of Cost for improving Webb, 29th to K-96 - \$25,000; less financing previously issued - \$0. Financing to be issued at this time - \$25,000. (706840/472-83508/202-306).
- u. (Fourth Partial) Estimate of Cost for improving Hydraulic, 57th Street to MacArthur - \$2,935,000; less financing previously issued - \$735,000. Financing to be issued at this time - \$2,200,000. (706810/472-83324/201-275).
- (Item 17 continued)
- v. (Third Partial) Estimate of Cost for improving 21st Street North, 119th to Maize - \$315,000; less financing previously issued - \$220,000. Financing to be issued at this time - \$95,000. (706814/472-83364/201-279).
- w. (Third Partial) Estimate of Cost for the 2000 Arterial Corridor Program at Central and Ridge Road- \$3,203,850, less KDOT reimbursements \$2,363,850, less financing previously issued - \$800,000. Financing to be issued at this time - \$40,000. (706805/472-83285/200-271).
- x. (Third Partial) Estimate of Cost for improving Pawnee, Oak Knoll to Webb - \$2,076,190; less KDOT Reimbursements \$1,446,190, less financing previously issued - \$600,000. Financing to be issued at this time - \$30,000. (706782/472-83087/200-239).
- y. (Second Partial) Estimate of Cost for improving George Washington Blvd. and Mt. Vernon Intersection - \$140,500; less KDOT reimbursements - \$62,500, less financing previously issued - \$20,000. Financing to be issued at this time - \$58,000. (706792/472-83168/200-246).
- z. (Fourth Partial) Estimate of Cost for improving Mt. Vernon Bridge - \$224,596; less KDOT reimbursements - \$44,596, less financing previously issued - \$160,000. Financing to be issued at this time - \$20,000. (715490/472-82902/248-063).

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aa. (Fourth Partial) Estimate of Cost for improving Maple, Maize to 119th Street West - \$2,385,997; less KDOT reimbursements - \$1,644,997, less financing previously issued - \$725,000. Financing to be issued at this time - \$16,000. (706772/472-83092/209-233).

bb. (Second Partial) Estimate of Cost for improving 21st Street North and Rock Road Intersection - \$443,637; less KDOT reimbursements - \$243,637, less financing previously issued - \$15,000. Financing to be issued at this time - \$185,000. (706829/472-83438/201-295).

cc. (Second Partial) Estimate of Cost for Bike Path along Little Arkansas River from 13th to 21st Street North (Design) - \$30,000; less financing previously issued - \$15,000. Financing to be issued at this time - \$15,000. (706831/472-84346/202-297).

dd. (Second Partial) Estimate of Cost for improving Harry, Oliver to Woodlawn (Design) - \$96,000; less other financing previously issued - \$85,000. Financing to be issued at this time - \$11,000. (706784/472-83165/200-264).

ee. (Second Partial) Estimate of Cost for improving the Central and Hillside Intersection - \$1,480,000; less financing previously issued - \$500,000. Financing to be issued at this time - \$980,000. (706822/472-83408/201-288).

ff. (Second Partial) Estimate of Cost for improving Museum District Boulevard - \$2,725,000; less financing previously issued - \$2,600,000. Financing to be issued at this time - \$125,000. (706795/472-88228/200-248).

gg. (Seventh Partial) Estimate of Cost for 1998/1999 Arterial Corridor Improvement Program - \$1,510,000; less financing previously issued - \$1,400,000. Financing to be issued at this time - \$110,000. (706705/472-82932/208-224).

Motion -- carried

Knight moved that the partial Statements of Cost be received and filed. Motion carried 7 to 0.

DEEDS/EASEMENTS

DEEDS AND EASEMENTS:

a) Drainage and Utility Easement dated October 17, 2002 from Trinity Point, L.L.C., a Kansas Limited Liability Company for tracts of land in Lots 5, 8, 9, 12, 13 and 14, Block C, Gray's 5th Addition, Wichita, Sedgwick County, Kansas (OCA# 743951). No cost to City.

b) Public Utility Easement dated October 31, 2002 from Mobile Home Resorts, Inc. for a tract of land in Lot 1, Block A, Pacesetter Addition (Gold Waterline, OCA # 633751). No cost to City.

c) Grant of Right of Way to Kansas Gas and Electric Company for a tract of land in the SW 1/4 Section 23, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (Hoover Pump Station, OCA #706827). No cost to City.

Motion -- carried

Knight moved that the Deeds and Easements be received and filed. Motion carried 7 to 0.

PETITIONS

SANITARY SEWER TO SERVE THE NORTH HALF OF LOT 2, BONE'S SOUTH SENECA GARDENS ADDITION - EAST OF SENECA, SOUTH OF 55TH STREET SOUTH. (District IV)

Agenda Report No. 02-2026.

The Petition has been signed by two owners, representing 100% of the improvement district.

The project will extend sanitary sewer service to an undeveloped residential tract created by a lot split.

The Petition totals \$60,000. The funding source is special assessments.

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State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-499

Resolution of findings of advisability and Resolution authorizing improving of Lateral 489, Southwest Interceptor Sewer (east of Seneca, south of 55th Street South) 468-83539, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

SANITARY SEWER TO SERVE UNPLATTED TRACTS - WEST OF 119TH STREET WEST, NORTH OF CENTRAL. (District V)

Agenda Report No. 02-2027.

The Petition has been signed by five owners, representing 100% of the improvement district.

The project will extend sanitary sewer service to three residential tracts located west of 119th Street West, north of Central.

The Petition totals \$33,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-500

Resolution of findings of advisability and Resolution authorizing improving of Lateral 488, Southwest Interceptor Sewer (west of 119th Street West, north of Central) 468-83504, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

SANITARY SEWER AND WATER DISTRIBUTION SYSTEM TO SERVE PART OF REFLECTION RIDGE THIRD ADDITION – EAST OF TYLER, NORTH OF 21ST STREET. (District V)

Agenda Report No. 02-2028.

The Petitions have been signed by two owners, representing 100% of the improvement districts.

These projects will provide sanitary sewer, and water service to an office park located east of Tyler, north of 21st.

The Petitions total \$58,500. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

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Motion -- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-501

Resolution of findings of advisability and Resolution authorizing improving of Lateral 40, Main 15, Southwest Interceptor Sewer (east of Tyler, north of 21st) 468-83537, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 02-502

Resolution of findings of advisability and Resolution authorizing improving of Water Distribution System Number 448-89751 (east of Tyler, north of 21st) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

PAVE 35TH STREET SOUTH AT GOLD AND CONSTRUCT A WATER DISTRIBUTION FOR SOUTH HIGH SCHOOL – EAST OF SENECA, SOUTH OF 31ST STREET. (District IV)

Agenda Report No. 02-2029.

The Petitions have been signed by two owners, representing 100% of the improvement districts.

These projects will improve paved access and expand water service to South High School

The Petitions total \$24,500. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-503

Resolution of findings of advisability and Resolution authorizing improving of 35th Street South from the east line of Gold Street North to the west line of Gold Street South (east of Seneca, south of 31st Street South) 472-83661, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 02-504

Resolution of findings of advisability and Resolution authorizing improving of Water Distribution System Number 448-89743 (east of Seneca, south of 31st Street South), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

STREET PAVING TO SERVE HAWTHORNE ADDITION – NORTH OF 21ST STREET, EAST OF 127TH STREET EAST. (District II)

Agenda Report No. 02-2030.

The Petitions have been signed by one owner, representing 100% of the improvement districts.

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These projects will provide paving to a new residential development located north of 21st, east of 127th Street East.

The Petitions total \$960,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-505

Resolution of findings of advisability and Resolution authorizing improving of Williamsgate from the north line of 21st Street North to the west line of Lot 56, Block 6; sidewalk on both sides (north of 21st, east of 127th Street East) 472-83644, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 02-506

Resolution of findings of advisability and Resolution authorizing improving of Williamsgate from the west line of Lot 56, Block 6, to the south line of Camden Chase; Williamsgate Court from the west line of Williamsgate to and including the cul-de-sac serving Lots 50 through 54, Block 6; sidewalk on one side of Williamsgate from the west line of Lot 56, Block 6, to the south line of Camden Chase (north of 21st, east of 127th Street East) 472-83643, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 02-507

Resolution of findings of advisability and Resolution authorizing improving of Peckham from the north line of Camden Chase to the north line of Lot 5, Block 1; Peckham Court, serving Lots 11 through 23, Block 1, from the west line of Peckham to and including the cul-de-sac; a sidewalk on one side Peckham from the north line of Camden Chase to the north line of Lot 5, Block 1 (north of 21st, east of 127th Street East) 472-83637, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 02-508

Resolution of findings of advisability and Resolution authorizing improving of Camden Chase from the east line of 127th Street East to the east line of Peckham; sidewalk on both sides of Camden Chase, from the east line of 127th Street East to the east line of Peckham (north of 21st, east of 127th street East) 472-83647, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Police & Fire Retirement System Regular Board Meeting Minutes, 9-25-02
Board of Code Standards and Appeals Meeting Minutes, 10-7-02
Board of Park Commissions Regular Meeting Minutes, 10-7-02

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

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STREET CLOSURES Consideration of Street Closures/Uses.

There were no street closures considered.

CLAIMS ALLOWED REPORT ON CLAIMS ALLOWED – OCTOBER 2002:

| Name of Claimant | Amount |
|---------------------|----------|
| Agnew, Antoine | \$925.30 |
| Bell, Mike | \$145.14 |
| Exline, Lorie | \$76.50 |
| Gray, Leroy | \$411.34 |
| Janzen, Gary | \$132.88 |
| Lempke, Michael J. | \$434.15 |
| Sagerty, Lucas | \$180.00 |
| Sanders, Kristina L | \$474.63 |
| Skinner, Nancy | \$367.80 |

Motion -- carried Knight moved that the Report be received and filed. Motion carried 7 to 0.

VICTIM'S RIGHTS VICTIM'S RIGHTS SERVICES CONTRACT.

Agenda Report No. 02-2031.

Kansas law requires that municipalities provide notice to crime victims of certain court proceedings in conformity with the Victim's Bill of Rights contained in the Kansas Constitution and statutes. The City of Wichita has adopted Resolution. No. R-93-327 to implement these notification requirements. For the past year, the services to implement this resolution have been provided to the City of Wichita through a contract with Correctional Counseling of Kansas, which contains an option to renew for one additional year. In order to cover certain witness-focused services, which the program has added to mandatory victim services, Staff have requested a modification to conform the performance criteria to the expanded program during the renewal period. There is no increase in the contract price.

Correctional Counseling of Kansas is amenable to the requested modification and renewal.

Funds for the contract amount have been spread in the contractual and Data Center charges of the Department of Law budgets for 2003, for purposes of paying for the services to be provided under the contract.

Motion --
-- carried Knight moved that the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

VICTIMS' CENTER PHASE II OF COMPREHENSIVE CRIME VICTIMS' CENTER STUDY.

Agenda Report # 02-2032.

Mainstream, Inc., submitted a study on the feasibility of creating and implementing a Comprehensive Victims' Services Center. The Center would be located within a short distance from the municipal, district, and federal courts. The Center would provide a variety of services to victims of crime, all conveniently located in one location. Currently, a victim of a crime may be referred to multiple locations in order to obtain the services they need. This causes stress and anxiety, which re-victimizes the victims of crime. Often a victim is unable to locate the services available, or unable to effectively utilize services that are physically located in areas all across the city and county. Victim services, centrally located, is a benefit to the victims of crime. The central location allows a one stop

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accessibility to needed services. The end result is that victims receive the services they need, without the stress and anxiety of hunting for services in a number of different venues.

A federal grant was awarded to the City of Wichita, for the feasibility study, as well as assistance in the creation and implementation of a comprehensive victims' service center.

The contract amount shall not exceed \$27,000 for fiscal year 2003. This is the remainder of the grant amount, designated for the creation and implementation of a comprehensive victims' service center.

Motion --
-- carried

Knight moved that the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

SCHOOL LIGHTING

AFTER SCHOOL AND COMMUNITY EDUCATION PROGRAMS.

Agenda Report # 02-2033.

USD #259 is a current recipient of 21st Century Community Learning Center grants awarded by the U.S. Department of Education for operation of Colvin and Stanley Elementary Schools as "lighted schools". The School District desires to contract with the City's Parks and Recreation Department to conduct programming under the terms of these grants.

Under the terms of the grant agreement/contract, the City Parks and Recreation Department will operate "before school", "after school", weekend and summer programs at the two schools providing a variety of services such as recreational and arts/crafts related activities, and health and social services for youths and community education programs for adults and older youths.

Under the terms of the contract, the City will receive \$92,277.04 for the agreed upon services. The contract will extend through July 31, 2003.

Motion --
-- carried

Knight moved that the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

HESS PUMP STATION

HESS PUMP STATION AUTOMATION – PHASE 2.

Agenda Report No. 02-2034.

Hess Pump Station was constructed in 1973 and serves as the main pump station to create water pressure in the City's distribution system. On August 5, 1997, the City Council authorized a project to automate the controls for the Hess Pump Station pumps and contracted with TEC Engineering to develop and implement the control system.

Additional improvements have been made at the Hess Pump Station since the time that the automation project was completed. One of the pump motors replaced in 2002 was equipped with an adjustable speed drive; however, additional system modeling and control programming is required to incorporate the drive into the automation system. Since the original programming was done by TEC, Staff is recommending them for this work.

The Contract is for \$17,300. Funding is available in CIP W-410, Computer Controls for Hess Pump Station.

Motion --
-- carried

Knight moved that the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

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AIRPORT PHONES

TELEPHONE SERVICE – AIRPORT.

Agenda Report No. 02-2035.

In May, 1999, the Wichita Airport Authority contracted with Adelphia Business Solutions for local telephone service. That contract was for one year with two options to renew. The contract expired May, 2002..

Bids were solicited from the two facilities-based local telephone service providers: Adelphia Business Solutions and SBC Southwestern Bell. Adelphia Business Solutions' proposal is for \$52,993.44 annually while SBC Southwestern Bell's was \$56,374.08.

Adelphia's service to Wichita Airport during the first contract has been exemplary.

The City will save \$10,141.92 over the three year term of the proposed contract by accepting the lower bid from Adelphia Business Solutions.

Motion --
-- carried

Knight moved that the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

EASEMENT ENCR.

EASEMENT ENCROACHMENT AGREEMENT (District II)

Agenda Report No. 02-2036.

The Agreement allows Sawmill Creek LLC and Legacy Homes, Inc., to occupy and construct, improvements on, over, and across the aforesaid, a public utility and drainage easement 22 feet in width described as the west 22 feet of Lot 1, Lot 11, Lot 12, Lot 13, Lot 14, Block 6, Sawmill Creek Addition; and a public utility and drainage easement 22 feet in width described as the south 22 feet of Lot 23, Lot 24, Lot 25, Lot 26, Lot 47, Lot 48, Lot 49, Lot 50, and Reserve "G", Block 6, Sawmill Creek Addition; hereinafter referred to as Tract "A" and waives all rights of action in law arising out of the encroachment into the easement. The improvement is to be a concrete wall constructed parallel and on above said easement.

The Agreement allows the City to be held harmless from any and all claims resulting from leaking, cave-in or failure of said sewer line lying within Tract "A" and from claims resulting from replacement or upgrade of lines, manholes, and/or other Department property in the easement.

There are no financial considerations.

Motion --
-- carried

Knight moved that the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

HILLSIDE PROJECT

CONSULTANT SERVICES FOR ACQUISITION AND RELOCATION – HILLSIDE RECONSTRUCTION PROJECT. (Districts I, III)

Agenda Report No. 02-2037.

Plans to widen and improve Hillside from 18th Street to 21st Street and from Central to Kellogg are being finalized. Federal and/or State funds are expected to be utilized in these projects necessitating compliance with Federal acquisition and relocation procedures.B The projects will require the total acquisition of approximately 20 tracts and the relocation of the occupants.

Local presence, experience with relocation procedures, and ability to accomplish the assignment in a timely manner are of prime importance. Due to project timing, only local firms were considered. Land Acquisitions, Inc. is the only firm with a local presence and experience with Federal procedures. Based

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on this they were considered as a sole-source provider. Land Acquisitions has done prior work of a similar nature for the City with good results.

The contract is based on an hourly basis with a maximum cost of \$850 per acquisition, \$1,100 per residential relocation and \$1,300 per commercial relocation. The exact number of acquisitions and relocations will depend on the final project design. The total cost is budgeted to not exceed \$40,000.

Motion --
-- carried

Knight moved that the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

CENTRAL KS RR

CENTRAL KANSAS RAILROAD RIGHT-OF-WAY. (District V)

Agenda Report # 02-2038.

On May 7, 2002, the City Council of Wichita authorized interim trail use negotiations for the rail line that is in the process of being abandoned by the Central Kansas Railway, L.L.C. (CKR) on the west side of Wichita.

Rail service has been re-aligned to allow removal of the Cowskin Bridge that was responsible for flooding and to facilitate interchange improvements in the Kellogg corridor. The proposed CKR rail line abandonment extends from McCormick Avenue, south of Kellogg, westward to the eastern city limits of Garden Plain, Kansas. The City has already railbanked the section from Hoover Rd. to 119th Street West, and Sedgwick County has railbanked the mile-section between 119th and 135th Streets. The City of Wichita desires to railbank the segment from 135th Street West, to 169th Street West.

Railbanking two additional miles to 167th Street West, allows the development of a multi-use trail serving the long-range growth needs of Wichita and provides potential trail linkage to Goddard. A study, similar to the one being done for another rail line should be conducted next year, and then initial plan development.

The City of Wichita has reached an agreement with OmniTrax, the successor to Central Kansas Railway for the segment from milepost 9.62 near 135th St. West, to milepost 11.62, near 169th St. West.

Railbanking will prevent encroachments by abutting landowners and keep the option open for various uses of the railroad corridors, but some of these uses may require the consent of, or compensation to abutting owners.

The Law Department has provided input to this project and reviewed the agreements.

Motion --
-- carried

Knight moved that the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

VICTIM ADVOCATE

VICTIM ADVOCATE SERVICES CONTRACT.

Agenda Report # 02-2039.

The victim advocate is located within the Department of Law, Prosecutor's Office. The victim advocate provides services to victims of domestic violence, including but not limited to notification of court appearances, information pertaining to services offered to victims of domestic violence related crimes, assistance of victims through the court process. This position has been an integral part of the City of Wichita's Domestic Violence Program since its inception in 1990.

The contract provisions remain relatively unchanged from the contract approved and executed in 2002. The contract amount remains the same as that in the 2002 contract.

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The contract amount shall not exceed \$27,000 for fiscal year 2003.

Motion --
-- carried

Knight moved that the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

LEOB

WORKFORCE LOCAL ELECTED OFFICIAL BOARD.

This Item was pulled from the Agenda.

SAWMILL CK DESIGN DESIGN SERVICES AGREEMENT - SAWMILL CREEK ADDITION – EAST OF ROCK ROAD, NORTH OF 45TH STREET NORTH. (District II)

Agenda Report No. 02-2040.

The City Council approved the project on September 10, 2002.

The proposed Agreement between the City and Ruggles & Bohm, P.A. (R&B) provides for the design of bond financed improvements in Sawmill Creek Addition. Per Administrative Regulation 7a, staff recommends the selection of R&B as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$60,360, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

KS TECH TRAINING

2002 FUNDING FOR KANSAS TECHNICAL TRAINING INITIATIVE.

Agenda Report No. 02-2041.

On July 17, 2001, the City Council approved a contribution in the amount of \$50,000 to the Wichita Educational Foundation of Aviation Manufacturing to help fund the first year of a two-year program to develop a world-class manufacturing training center in Wichita. The City of Wichita is one of eight members of a steering committee that also includes Boeing, Bombardier, Cessna, Raytheon, the State of Kansas, Sedgwick County and USD #259. Each member of the steering committee was asked to contribute \$50,000 per year for two years. All members contributed in 2001. So far in 2002, Cessna, Boeing, the State of Kansas and Sedgwick County have contributed. Contributions from the remaining members are being sought.

The focus of the first year's activity was to engage the services of a consulting organization with expertise and experience in planning and implementing similar vocational training enterprises. The Center for Business and Technology with the Johnson County Community College ("JCCC") in Overland Park was engaged to conduct a study and recommend an approach for planning and implementation of the Wichita-based training endeavor, to be named the Kansas Technical Training Initiative.

During the second year of activities, an executive director was hired and detailed planning has begun for the actual implementation of manufacturing training programs. The initial programs will focus on training airframe and power plant mechanics for the aviation industry, with a more varied program to follow. A site selection process has begun for the location of a state-of-the-art training facility in Wichita. The objective is to attract trainees from throughout the U.S.

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The requested 2002 funding in the amount of \$50,000 will be paid from the contingency in the Economic Development Trust Fund.

Motion --
-- carried

Knight moved that a grant to the Kansas Technical Training Initiative in the amount of \$50,000 for 2002, be approved. Motion carried 7 to 0.

IRB – LEE AEROSPACE AMENDMENT OF INDUSTRIAL REVENUE BOND DOCUMENTS – LEE AEROSPACE, INC.
(District II)

Agenda Report No. 02-2042.

On December 7, 1999, City Council approved the issuance of Industrial Revenue Bonds in the amount of \$4.5 million to Lee Aerospace, Inc. The City Council also approved a 100% tax exemption for a term of five years, plus an additional five years subject to City Council review. Bond proceeds were used to finance the acquisition of property and to construct a new facility for manufacturing and office space. The facility is located at 8500 E. 32nd Street North. The bonds were issued in two separate series (Series V & Series VI 1999). Lee Aerospace is requesting amendments to the Ordinance and other bond documents to restructure debt service payments in accordance with the lower rates agreed to between the IRB Tenant and Bondholders. The requested change is for the Series VI only.

Since the date on which the IRBs were initially issued, interest rates have declined substantially. Lee Aerospace wishes to restructure the bonds to obtain lower interest rates, and the institutional lender that holds the Bonds has agreed to consent to the restructuring. To accomplish this, certain terms of the bond documents must be amended by means of an Ordinance. The changes relate solely to the interest rate on the bonds.

There is no financial impact to the City as a result of the amendment.

Motion --
-- carried

Knight moved that document amendments needed to restructure the debt service payments for the Series VI in accordance with lower interest rates and first reading of the Ordinance be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

ORDINANCE

An Ordinance prescribing the form and authorizing execution of a Series VI First Supplemental and amending trust indenture by and between the City and Intrust Bank, N.A., Wichita, Kansas, as trustee with respect to the City of Wichita, Kansas, Taxable Industrial Revenue Bonds, Series VI, 1999 (Lee Aerospace, Inc.), introduced and under the rules laid over.

IRB - FLIGHTSAFETY EXTENSION OF LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS – FLIGHTSAFETY INTERNATIONAL. (District V)

Agenda Report # 02-2043.

On December 18, 2001, the City Council approved a six-month Letter of Intent to issue Industrial Revenue Bonds in an amount not-to-exceed \$32,500,000, and a 100% five-plus-five year tax abatement on property purchased with bond proceeds to FlightSafety International. The proceeds of the bonds were used to acquire and install additional flight simulators and related equipment at the Flight Safety International Training Center located at 1851-1951 Airport Road. The Wichita Airport Authority on the same day approved a six-month Letter on Intent to FlightSafety for the issuance of Special Airport Facilities revenue Bonds in an amount not-to-exceed \$2.5 million. The bond proceeds will be used to finance construction of a building expansion at the FlightSafety International Center.

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On June 18, 2002, City Council approved a six-month extension to the term of the Letter of Intent. The extension will expire on December 18, 2002. FlightSafety has requested an additional six-month extension of the Letter of Intent.

FlightSafety has requested the extension because construction of the project is nearly complete; however, it does not appear that cost and expenses associated will be finalized prior to the date the Letter of Intent expires. The company is requesting an additional extension of six-months of the Letter of Intent until June 18, 2003.

There is no financial impact on the City resulting from the requested extension.

Bond documents required for the issuance of the bonds will be prepared by Hinkle Elkouri Law Firm, L.L.C., bond counsel for the project. The City Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds.

Motion --

-- carried

Knight moved that extension of the Letter of Intent to FlightSafety International for Industrial Revenue Bonds in an amount not-to-exceed \$32,000,000 million for an additional six months ending June 18, 2003, be approved. Motion carried 7 to 0.

PUBLIC ART

PUBLIC ART MAINTENANCE PROGRAM.

Agenda Report # 02-2044.

The 2002-2003 budget provides funds to maintain the various public art pieces that are owned and maintained by the City. This allocation represents the first time the City has programmed funds for maintenance of these donated sculptures and constructed artwork in various areas of the City. The existing collection is in need of maintenance and repairs due to vandalism and damage resulting from weather and environmental. The City issued RFP's to qualified firms to perform this work. The firm of Gotta Corporation is the recommended business to perform this contract work.

The contract provides for various elements of work, these include such items as semi-annual maintenance cycles, Fall 2002 and Spring 2003, with specific tasks as:

- *Submission of digital photo documentation of sculpture & site location (Fall 2002).
- *Submission of digital photo documentation of vandalism or damage to sculptures.
- *Submission of condition reports, including: descriptions and dimensions of sculpture environmental elements around sculpture; visual identification of materials of Sculpture & base; assessment of structural integrity of sculpture, base; and possible damage to sculpture from environmental elements; cleaning of sculpture; and reviews with staff on assessments, conditions and long-term preventative maintenance programs.

In addition, written reports for each sculpture will include historical information, fabrication details, installation date, site background and related activities will be provided.

A budget allocation for this work totals \$50,000. The cost submitted by the contractor for Fall 2002 and Spring 2003 is \$48,810, based on the written inventory submitted to Gotta Corporation. Sculptures that are not on the inventory will be billed at a cost of \$55 per hour, plus expenses.

Motion --

-- carried

Knight moved that the Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

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Addendum Item
BUDGET ADJ.

BUDGET ADJUSTMENT: SECURITY SYSTEMS FOR THE NEIGHBORHOOD CITY HALLS.

Agenda Report No. 02-2077.

On April 9, 2002, the City Council approved \$20,370 in 2002 CDBG funding for security systems for the Neighborhood City Halls. On October 1, 2002 the City Council authorized the purchasing manager to negotiate directly with preferred security systems manufacturer TAC Americas, Inc. and Sandifer Engineering & Controls, Inc. as the preferred vendor, for the purchase of high technology security system items.

The City hired security consultants to analyze and assist the City in determining its security needs for the Neighborhood City Halls. The security consultants have recommended installation of cameras, interior monitoring systems, and exterior detection systems at all four Neighborhood City Halls. The Department of Finance has prepared an amendment to the Memorandum of Understanding to transfer funds for the additional equipment and work.

The total cost for installing security systems for the Atwater, Colvin, Evergreen, Stanley/Aley Neighborhood City Halls is \$67,527. The costs for security systems, network routers, cameras, and door processing units for each Neighborhood City Hall is described in the following table:

| Site | Security Syst | Network Rtr | Cameras | DPU | Total |
|---------------|---------------|-------------|---------|---------|----------|
| Atwater | \$10,732 | \$1,680 | \$8,914 | \$1,050 | \$22,376 |
| Colvin | \$8,751 | \$1,680 | \$4,617 | \$1,050 | \$16,098 |
| Evergreen | \$6,755 | \$1,680 | \$5,124 | \$1,050 | \$14,609 |
| Stanley/Alley | \$6,590 | \$1,680 | \$5,124 | \$1,050 | \$14,444 |

The City Council previously approved funding for the CDBG Neighborhood City Hall Security Systems budget in the amount of \$20,370. The balance needed to fund the Neighborhood City Hall Security System project is \$47,157. If approved, \$47,157 will be transferred from remaining balances of completed projects listed under the CDBG "Deferred Maintenance for City-Owned Facilities/Properties" as follows:

| 2002 CDBG Deferred Maintenance Projects | Available Balance |
|--|-------------------|
| Lynette Woodward Recreation Center (Gym Floor Replacement) | \$13,765 |
| McAdams Recreation Center (Gym Floor Replacement) | \$29,212 |
| Colvin Drainage Project | \$4,180 |
| Total | \$47,157 |

The City Council must approve all budget changes that exceed \$10,000.

Motion -- carried

Knight moved that the budget adjustment be approved. Motion carried 7 to 0.

SEWAGE TREATMENT SEWAGE TREATMENT PLANT REHABILITATION/MAINTENANCE.

Agenda Report No. 02-2045.

In 1995, Capital Improvement Program S-504 (Replacement of Pumps, Motors, and Electrical Equipment) was established to pay for improvements to pumps, motors, and electrical equipment at the sewage treatment plants. The project is funded annually with a budget of \$50,000.

The annual funding is due to be renewed. If equipment is not updated and maintained, the sewage treatment process will be negatively impacted.

CIP S-504 has a budget of \$50,000 for 2001 and \$50,000 for 2002. Expenses are part of cash-funded capital and paid for with sewer revenues.

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Motion -- carried Knight moved that the funding be authorized and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-509

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend and enlarge the Water and Sewer Utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$100,000 exclusive of the cost of interest on borrowed money, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

MAIZE ROAD WTR WATER MAIN IN MAIZE ROAD FROM 29TH STREET TO 37TH STREET. (District V)

Agenda Report No. 02-2046.

The City of Wichita provides treated drinking water to 368,000 people. The service population is projected to increase to over 450,000 by 2010. To ensure that future water needs of the service area are met, the Water and Sewer Department initiated a study of its water system. The Water System Master Plan was completed in November 1999, with a number of significant system improvements recommended to ensure adequate service levels now and in the future.

Wichita is expanding in the northwest portion of the City that will be served by this transmission main. The line will also become part of a loop for the west portion of the City's water system.

CIP W-869 (Maize, 29th to 37th St. N.) is included in the approved CIP and has available funding of \$340,000. The project will be funded from Water Utility revenues and reserves, and/or a future revenue bond issue.

Motion -- carried Knight moved that the project be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-510

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend and enlarge the Water and Sewer Utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$340,000 exclusive of the cost of interest on borrowed money, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

SIDWALK/RAMP PGM 2003 ARTERIAL SIDEWALK AND WHEELCHAIR RAMP PROGRAM – PHASE I.

Agenda Report No. 02-2047.

The Capital Improvement Program includes funding to construct arterial sidewalk and to install wheelchair ramps at various locations in the City. The wheelchair ramp component of the program is part of an ongoing effort to retrofit the entire City as required by the Americans with Disabilities Act of 1990. That part of the project is being presented for approval at this time. The arterial sidewalk locations will be presented at a later date following review by District Advisory Boards.

The wheelchair ramps are being installed on a priority basis with emphasis at schools, institutions, and other high traffic locations.

The project budget is \$400,000. The funding source is General Obligation Bonds.

Motion -- carried Knight moved that the project be approved and the Resolution be adopted. Motion carried 7 to 0.

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RESOLUTION NO. 02-511

A Resolution finding it necessary to make certain improvements to construct wheelchair ramps at various locations (Phase I, 2003 Arterial Sidewalk and Wheelchair Ramp Program) Project Number 472-83660) and authorizing issuance of bonds by the City of Wichita, at large, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

HOME FUNDING

ALLOCATION OF HOME FUNDING.

Agenda Report No. 02-2049.

The Deferred Loan Program assists very-low income (up to 50% of median) homeowners residing in the City's Local Investment Areas with zero-interest loans for the purpose of bringing a residence into compliance with current housing codes, which involves whole-house rehabilitation. The HOMEownership 80 program assists low-income (up to 80% of median) homebuyers with zero-interest, deferred loans for down payments, closing costs involved in the purchase of a home. The program also provides a loan for minor rehabilitation, following closing. Both programs are funded from the City's annual HOME grant.

During the City's Consolidated Plan allocation process, \$300,000 in HOME funds was allocated for the Deferred Loan Program. Project costs have increased, due to the implementation of HUD's new lead paint regulation. Thus, the annual allocation is sufficient to complete approximately 10 projects. Currently, there are 21 families on a waiting list for the financial assistance provided through this program. Thus, Housing Services is requesting allocation of \$400,000 in available program income to the program, in order to assist families that are currently on the waiting list. Housing Services is also requesting allocation of \$40,000 in available program income for administrative expenses. The additional funding for HOME administration is needed due to increases in indirect administrative expenses cost-allocated for the Grants Coordination Office, and the additional expenses to be incurred as of January 1 for the re-allocation of department salaries expense as recommended by the Budget Office. This recommendation regarding allocation of program income has been approved by the Housing Advisory Board.

Further, during the Consolidated Plan allocation process, \$500,000 was allocated for the assistance provided through the HOMEownership 80 program. Since July 1, 2002, the City has received 71 applications for assistance through the program, and has provided loans to assist 31 families in the purchase of a home through the program. This is approximately the same amount of homeowners that were assisted during the entire 2001-2002 program year. Approximately \$500,000 of current and previous year's funding has been expended since July 1. Program production has increased significantly due to increased single-family housing production on the part of the City's Community Housing Development Organizations (CHDO's). Increased production can also be attributed to program modifications approved by the City Council, which expanded the targeted area for the program and increased down payment subsidy. In addition, new single-family housing developments to be carried out by Power CDC in Northeast Wichita and Central Plains Development in Planeview will necessitate increase funding for down payment and closing cost assistance for homebuyers purchasing homes in these developments. Housing Services is requesting re-allocation of \$531,450 in HOME funding in order to continue providing assistance through the program.

Increased funding for the Deferred Loan Program and Administrative Expenses is currently available from HOME Program Income. The increased funding for the HOMEownership 80 program is available from 2000 NRA Residential Development in the amount of \$105,000, 2001 NRA Residential Development in the amount of \$226,450, and 2001 Acquisition of Property for Redevelopment, in the amount of \$100,000.

The proposed re-allocations do not meet the criteria for a Substantial Amendment under the City's consolidated plan. Allocation of 10% of program income for administrative expenses is legally permissible under the HOME program regulations.

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Motion --
-- carried

Knight moved that the allocation of HOME Program Income for the Deferred Loan Program and the re-allocation of HOME funding for the HOMEownership 80 Program be approved. Motion carried 7 to 0.

UTILITY ALLOW.

UTILITY ALLOWANCE AND ENERGY AUDIT.

AGENDA REPORT No. 02-2049.

Housing authorities are required by the Department of Housing and Urban Development (HUD) to annually review and make appropriate adjustments to the utility allowances provided for tenant furnished utilities. The allowances are subtracted from the tenant's Adjusted Gross Rent to provide the net amount payable to Public Housing as rent. The objective of a housing authority in establishing allowances for each dwelling unit category and unit size must be to approximate a reasonable consumption of utilities by an energy-conservative household or modest circumstances consistent with the requirements of a safe, sanitary and healthful living environment. Housing authorities, which have installed air-conditioning systems in public housing rental units, are required to assure that the cost of utilities attributable to air-conditioning shall be borne by the residents.

Housing authorities are also required to complete an energy audit of Public Housing units not less than once every five years. Standards for the energy audits must be equivalent to State standards, analyze all of the energy conservation measures and the payback period for these measures.

The Wichita Housing Authority (WHA) issued an RFP in June of 2001 for professional services to conduct an energy audit. Only one proposal was received which was in the amount of \$65,592.00 from an Overland Park firm. Based upon consultation with HUD staff the proposed amount was deemed to be unacceptable.

Upon further investigation, staff determined that SCKEDD was able to follow the engineering methodology using the REM/Design software designed by Architectural Energy Corporation of Denver to provide a cross-section of data for the auditing template and to fit the engineering methodology necessary to establish utility allowances for Public Housing residents. Housing Services staff will be able to use the methodology on an annual basis to review and establish new allowances independently in the future. Housing Services has received a proposal to complete the utility allowance study and energy audit from SCKEDD at a cost of \$13,100.00. SCKEDD has been determined to be a single-source provider for the area and is a non-profit corporation funded by county governments and the Kansas Department of Commerce and Housing. Staff recommends that SCKEDD, which has experience in the delivery of the requested services, be awarded the contract.

The allowance study and energy audit will fulfill the requirements of HUD regulations.

Funding for this service is a part of the adopted Public Housing Capital Fund Budget and does not require local funding.

Motion --

-- carried

Knight moved that the appointment of the South Central Kansas Economic Development District (SCKEDD) to provide a formal study of utility bill allowances and energy audit for the Wichita Housing Authority be approved; development of a contract and necessary signatures be authorized. Motion carried 7 to 0.

HUD LOAN PROGRM.

NON-SUBSTANTIAL AMENDMENT – HUD CONSOLIDATED PLAN RENTAL HOUSING LOW INTEREST REVOLVING LOAN PROGRAM. (District I)

Agenda Report No. 02-2050.

On March 5, 2002, the City Council approved the allocation of \$200,000 in 2002 CDBG funds for the Housing Services Department Rental Housing Low Interest Revolving Loan program. The Rental Housing Low Interest Revolving Loan Program provides 4% loans of up to \$20,000 per single-family unit to owners/investors to rehabilitate deteriorated rental housing and provide such units for occupancy

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for low-moderate income renters. City Loan funds are limited to items required to meet City Housing Code, removal of architectural barriers, implementation of cost-effective energy conservation measures and to meet local construction codes and zoning ordinances.

The Rental Housing Low Interest Revolving Loan Program is currently limited to rental units located within the Local Investment Areas listed in the HUD Consolidated Plan. Housing Services Department has received a request from an investor for an exception to the Local Investment Area boundary for two single-family homes he intends to purchase and rehabilitate. The two properties in question are: 2641 North Piatt and 2620 North Ash. Both of these structures are blighted and detract from the City's recent renovation of Public Housing units on Minnesota and near the new single-family homes to be constructed at 25th and Minnesota.

The existing northern boundary of the Northeast Local Investment Area is 25th Street. The proposed sites are located approximately one-half block north of 25th Street in the 2600 block of North Piatt and North Ash.

The proposed CDBG non-substantial amendments are consistent with the City's goals which give preference to properties in which other public investment projects have been completed. The two houses are in immediate need of renovation and detract from the image of the homes currently owned by the City of Wichita. Other than the exception to the Northeast Local Investment Area boundary, there would be no change to the Rental Housing Low Interest Revolving Loan Program.

There are no changes to the approved CDBG budget for the program.

HUD regulations require a non-substantial amendment be approved by the City Council and submitted to HUD before the exception can be granted.

Motion --
-- carried

Knight moved that the non-substantial amendment to the HUD Consolidated Plan and submission of the amendment to HUD be approved. Motion carried 7 to 0.

PROPERTY ACQ.

PROPERTY ACQUISITION BY EMINENT DOMAIN:

TRACTS REQUIRED FOR THE PAWNEE RAIL SEPARATION PROJECT. (District III)

Agenda Report No. 02-2051.

The total acquisitions required for the Pawnee Rail Separation Project were released for active acquisition in July 2002. There are seven properties currently identified as total takes. Five of these have been acquired or are under contract. Two properties, 750 and 800 East Pawnee remain to be acquired.

City staff has been attempting to negotiate a purchase of the identified properties but have been unable to reach an agreement with the owners. Both properties have been appraised and the appraised value offered to the owners. 750 East Pawnee was appraised at \$72,000. The owner requested \$148,000 based on the fact that they could rent the property for \$900 per month rather than the current \$575 per month if they cared to. 800 East Pawnee was appraised at \$130,000. Owners countered at \$190,000 and admitted that they had no support for the counter. Staff will continue to negotiate with the owners, but due to the construction schedule for the project, eminent domain proceedings need to be initiated.

The cost of these acquisitions will be paid for by the City at large.

Motion --

-- carried

Knight moved that the Resolution be adopted and the Ordinance providing for the acquisition by eminent domain of certain real property and directing the City Attorney to file the appropriate proceedings in the District Court to accomplish such acquisition be placed on first reading. Motion carried 7 to 0.

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RESOLUTION NO. 02-512

A Resolution declaring the necessity for acquiring private property for the use of the City of Wichita in connection with planned rail grade separation at Pawnee Avenue, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ORDINANCE

An Ordinance providing for the acquisition by eminent domain of certain private property, easements, and right-of-way therein, for the purpose of acquiring real property for the construction of rail grade separation at Pawnee Avenue in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the City Attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof, introduced and under the rules laid over.

TRACTS REQUIRED FOR THE CENTRAL RAIL CORRIDOR GRADE SEPARATION PROJECT. (District VI)

Agenda Report No. 02-2052.

The total acquisitions required for the Central Rail Corridor Grade Separation Project were released for active acquisition in July 2002. There are two properties, 943 North Santa Fe and 528 East 18th Street North that remain to be acquired.

City staff have been attempting to negotiate a purchase of the identified properties but have been unable to reach an agreement with the owners. Both properties have been appraised and the appraised value offered to the owners. 528 North Santa Fe was appraised at \$35,000. The owner has requested \$65,000 with no support. 528 East 18th was appraised at \$110,000. The owners countered at \$180,217 based on perceived weaknesses in the City's appraisal. Staff will continue to negotiate with the owners, but due to the construction schedule for the project, eminent domain proceedings need to be initiated.

The cost of these acquisitions will be paid for by the City at large.

Motion --

Knight moved that the Resolution be adopted and the Ordinance providing for the acquisition by eminent domain of certain real property and directing the City Attorney to file the appropriate proceedings in the District Court to accomplish such acquisition be placed on first reading. Motion carried 7 to 0.

-- carried

RESOLUTION NO. 02-513

A Resolution declaring the necessity for acquiring private property for the use of the City of Wichita in connection with planned elevated rail corridor grade separation project, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ORDINANCE

An Ordinance providing for the acquisition by eminent domain of certain private property, easements, and right-of-way therein, for the purpose of acquiring real property for the construction of the elevated rail corridor project in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the City Attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof, introduced and under the rules laid over.

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TRACTS REQUIRED FOR THE RUNAWAY APPROACH PROTECTION AT MID-CONTINENT AIRPORT. (District V)

Agenda Report No. 02-2053.

The property located at 1425 South Ridge Road lies in the Runway Approach Protection area as defined for Mid-continent Airport. The Airport has requested that this tract be acquired to prevent further development in this protected area. The site has 288,615 square feet and is bisected by Mid-continent Drive. It is zoned Limited Industrial. Improvements consist of an abandoned commercial structure on the eastern tract with no improvements on the west.

City staff has attempted to negotiate the purchase of the identified property to protect the Airport facilities, but have been unable to reach an agreement with the owners. The property has been appraised at \$360,000 and this amount has been offered to the owner. The owner has indicated that this amount is insufficient but has declined to provide a counter offer. Staff will continue to negotiate with the owner, but due to the lack of constructive negotiations to date, eminent domain proceedings are considered necessary.

The cost of these acquisitions will be paid for with Passenger Facility Charges.

Motion --

Knight moved that the Resolution be adopted and the Ordinance providing for the acquisition by eminent domain of certain real property and directing the City Attorney to file the appropriate proceedings in the District Court to accomplish such acquisition be placed on first reading. Motion carried 7 to 0.

-- carried

RESOLUTION NO. 02-514

A Resolution declaring the necessity for acquiring private property for the use of the City of Wichita in connection with preservation of runway approach protection for Mid-Continent Airport, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ORDINANCE

An Ordinance providing for the acquisition by eminent domain of certain private property, easements, and right-of-way therein, for the purpose of preserving the runway approach protection zone for Mid-Continent Airport in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the City Attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof, introduced and under the rules laid over.

AWARD PAYMENT

PAYMENT OF CONDEMNATION AWARD – 7960 EAST KELLOGG. (District II)

Agenda Report No. 02-2054.

The City has identified the need to acquire the properties at 7960 East Kellogg in connection with the East Kellogg Improvement Project. Earlier this year, the City initiated eminent domain proceedings to acquire these properties. On November 4, 2002, the court appointed appraisers filed their award. They determined that the compensation to be paid for the acquisitions to be \$1,75,600. The court awarded the three appraisers fees in the amount of \$9,000. Court costs had been paid previously.

For the City to acquire this right-of-way, it must pay the award, together with fees and costs, to the Clerk of the District Court on or before December 4, 2002.

Cost of this acquisition will be paid from the East Kellogg Improvement Project.

The City has until December 4, 2002, to decide whether or not to acquire the property. If payment is not made to the Clerk by that date, the eminent domain is deemed abandoned.

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Motion --
-- carried

Knight moved that payment to the Clerk of the District Court in the amount of \$1,084,600 be authorized. Motion carried 7 to 0.

ORDINANCES

SECOND READING ORDINANCES: (First read November 5, 2002)

a) IRB – The Boeing Company. (District III)

ORDINANCE NO. 45-495

An Ordinance approving and authorizing the execution of a Lease Agreement between the Boeing Company and the City of Wichita, Kansas; approving and authorizing the execution of an Indenture of Trust between said City and BNY Trust Company of Missouri; pledging certain payments under said Lease Agreement and moneys and securities held by the Trustee under the term of said Indenture of Trust; authorizing and directing the issuance of Industrial Revenue Bonds Series V, 2002 (The Boeing Company Project) of said City in the principal amount of \$96,000,000 for the purpose of providing funds for the acquisition, construction, reconstruction and improvement of certain industrial and manufacturing facilities of Boeing Commercial Airplanes, Wichita Division, a division of the Boeing Company, a Delaware Corporation, in Sedgwick County, Kansas; designating the Trustee and the Paying Agent for said Bonds; authorizing the sale of said Bonds and the execution of a Bond Purchase Agreement therefore; approving and authorizing the execution of an Administrative Service Fee Agreement; and authorizing the execution and delivery of certain related instruments., read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight. (Brewer abstained)

b) Old Town Parking.

ORDINANCE NO. 45-496

An Ordinance amending Section 11.52.115 of the Code of the City of Wichita, Kansas, pertaining to parking procedures in lists in the Old Town District and repealing the originals of said Sections, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

c) Section 108 - Loan Program and Note Issuance.

ORDINANCE NO. 45-497

An Ordinance of the City of Wichita, Kansas (the "City"), authorizing the execution of a contract for loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974, as amended, in connection with the financing of a portion of the loans extended to qualified eligible small businesses within the City's Neighborhood Revitalization Strategy Areas ("business borrowers"), under the City's Business Assistance Program; authorizing the execution of one or more variable/fixed rate note(s) in the maximum aggregate principal amount of \$3,000,000 in connection with such financing; pledging grant funds and other security to secure the United States Department of Housing and Urban Development's guaranty of such note(s); approving the form of an amended and Restated Master Fiscal Agency Agreement dated as of May 17, 2000, and a certain Trust Agreement dated as of January 1, 1995, as supplemented and amended; authorizing appropriate co-guaranty agreements between the City and the Small Business Administration ("SBA") and certain banks, for support of loans to business borrowers and sharing of collateral; authorizing appropriate operating agreements between the City and banks extending SBA-guaranteed loans, for the initiation of loans to business borrowers and sharing of collateral; authorizing the execution and/or acceptance of loan and security agreements to secure repayment of loans made to business borrowers; authorizing an arrangement between the City and one or more loan sevicer(s), concerning certain functions in the initiation and servicing of loans to business borrowers to be performed by such loan sevicer(s) on behalf of the city; designating Commerce Bank, N.A., as custodian of certain accounts and security documents required by the contract for loan guarantee assistance; and, repealing Ordinance 45-149 of the City of Wichita, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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- d) DR2001-09 – Amendments to the Wichita-Sedgwick County Subdivision Regulations.

ORDINANCE NO. 45-498

An Ordinance amending the “Wichita-Sedgwick County Subdivision Regulations, January 28, 1999 Edition,” as adopted by reference in City of Wichita Code Sec. 28.05.010, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- e) ZON 2002-43 – south side of 37th Street North, East of Ridge Road. (District V)

ORDINANCE NO. 45-499

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON 2002-43, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- e) ZON2002-00052 – West of Woodlawn, approximately 2,000 Feet South of 29th Street. (District I)

ORDINANCE NO. 45-500

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON2002-00052, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- d) HPC2002-00085 – Wichita Register of Historic Places Landmark Designation for 3333 South Broadway. (District III)

An Ordinance designating as a historic landmark certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010 and Section 2.12.1018, as amended, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

Dale Miller, Planning Department, said all Items, except 49, could be taken as consensus items.

Knight moved that the Planning Agenda, except Item 49, be approved as consent Items. Motion carried 7 to 0.

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SUB2002-33

SUB2002-33 - PLAT OF VOICESTREAM ADDITION - SOUTH OF 29TH STREET NORTH, WEST OF WOODLAWN. (District I)

Agenda Report No. 02-2055.

This is a replat of a plat previously approved. Sanitary sewer, water and paving improvements have already been completed for the site. A Conditional Use (CON 2002-18) for a parking lot expansion has been approved. The site is zoned SF-5, Single-Family Residential District and "GO" General Office district and is located within Wichita's City limits.

The plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days

The City of Wichita is indicated as holding an interest in this property's ownership and consequently is shown as one of the site's plattors.

Motion --
-- carried

Knight moved that the Plat be approved and the necessary signatures be authorized. Motion carried 7 to 0.

SUB2002-50

SUB2002-50 - PLAT OF HERITAGE BAPTIST CHURCH ADDITION - NORTHEAST CORNER OF 135TH STREET WEST AND 13TH STREET NORTH. (County Plat)

Agenda Report No. 02-2056.

This plat is zoned SF-20, Single-Family Residential and is located in the County within three miles of Wichita's City limits.

Petitions, all 100%, have been previously submitted for sanitary sewer and municipal water with the Liberty Park Addition plat.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days

Motion --
-- carried

Knight moved that the Plat be approved and the necessary signatures be authorized. Motion carried 7 to 0.

SUB2002-71

SUB2002-71 - PLAT OF NORTHEAST ELEMENTARY SCHOOL ADDITION - SOUTHWEST CORNER OF WOODLAWN BOULEVARD AND 29TH STREET NORTH. (District I)

Agenda Report No. 02-2057.

This plat is zoned SF-5, Single-Family Residential District, and "LC" Limited Commercial District. City sewer and water services are available.

Petitions, all 100%, and a Certificate of Petitions have been submitted for paving improvements.

The Certificate of Petitions will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the document and plat be approved; the necessary signatures be authorized; and the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-515

Resolution of findings of advisability and Resolution authorizing constructing a left-turn lane on Woodlawn into a major entrance to serve Northeast Elementary School Addition (south of 29th Street North, west of Woodlawn) 472-83662, in the City of Wichita, Kansas, pursuant to findings of

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advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 02-516

Resolution of findings of advisability and Resolution authorizing constructing a left-turn lane on Woodlawn into a major entrance to serve Northeast Elementary School Addition, (south of 29th Street North, west of Woodlawn) 472-83663, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

DED2002-37

DED2002-37 - DEDICATION OF A DRAINAGE EASEMENT - NORTHEAST CORNER OF 58TH STREET SOUTH AND SENECA. (District IV)

Agenda Report No. 02-2058.

This Dedication is a requirement of Lot Split No. SUB 2002-100, and is being dedicated for construction and maintenance and repair of a drainage channel.

The Dedication has been reviewed and approved by the Planning Commission.

The Dedication will be recorded with the Register of Deeds.

Motion -- carried

Knight moved that the Dedication be received and filed. Motion carried 7 to 0.

DED2002-38

DED2002-38 - DEDICATION OF A UTILITY EASEMENT - NORTH SIDE OF SECOND STREET, WEST OF WEST STREET. (District IV)

Agenda Report No. 02-2059.

This Dedication is a requirement of Lot Split No. SUB 2002-96, and is being dedicated for construction and maintenance of public utilities.

The Dedication has been reviewed and approved by the Planning Commission.

The Dedication will be recorded with the Register of Deeds.

Motion -- carried

Knight moved that the Dedication be received and filed. Motion carried 7 to 0.

VAC2002-11

VAC2002-11 - REQUEST TO VACATE PLATTED ACCESS CONTROL - NORTHEAST OF THE I-235, SOUTH SENECA INTERSECTION, 701 W. 33RD STREET SOUTH. (District IV)

Agenda Report No. 02-2060.

The applicant proposes to build Enterprise Elementary School on this site. The site plan for the new school building shows 4 openings onto to Gold Street. The openings are for school personnel – visitor parking, service vehicles and a pick up – drop off area. Planning Staff recommends the request for vacation of the current access control allowing one opening. The site plan the applicant has submitted shows the proposed 4 openings as they have been reviewed and recommended by City Staff.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

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A certified copy of the Vacation Order will be recorded with the Register of Deeds with the condition that a certified copy of dedication by separate instrument will be recorded with the Register of Deeds for an Abutter's Access Rights allowing 4 openings to and from Gold Street from Lot 1, Block 1, South High School Addition.

Motion --
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

VAC2002-30

VAC2002-30 - REQUEST TO VACATE PLATTED ALLEYS - SOUTHWEST OF THE DOUGLAS AVENUE-SENECA STREET INTERSECTION, 221 SOUTH ALLISON MIDDLE SCHOOL.
(District IV)

Agenda Report No. 02-2061.

The applicant is requesting consideration for the vacation of the platted alleys as described in the Legal Description. During the planning for the proposed expansion of Allison Middle School, existing encroachments onto the platted alleys were found as well as new encroachments created by the expansion. There are sewer lines in the north to south alleys.

Based on information available prior to the public hearings, planning staff recommends approval of this request to vacate the described portions of the platted alleys. The conditions associated with this project have been completed.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

VAC2002-32

VAC2002-32 - REQUEST TO VACATE DEDICATED DRAINAGE RIGHT-OF-WAY - SOUTHWEST OF THE LINCOLN, ROCK ROAD INTERSECTION. (District V)

Agenda Report No. 02-2062.

The applicant is requesting consideration for the vacation of a 30-foot deep (x) 134.45-foot wide section out the north end of the dedicated Gypsum Creek Drainage ROW. This Drainage ROW was created by Condemnation Case #C-2432 out of the southern portions of Lots 1 & 2, Block F, Broadmoor Addition. The remaining north 79.54-feet of Lot 1 is the applicant's property. The applicant proposes to build a garage on the vacated property. The owner of the south 70-feet of Lot 3, Block F, Broadmoor Addition, which abuts the west side of the drainage ROW, has requested that a 20-foot wide space be maintained between his property and the proposed vacated section. There is a sewer line running between the drainage ROW and the applicant's property on the east and Lots 2 & 3 on the west. Storm Water Management has agreed to vacate the north section of the drainage ROW, as requested by the applicant.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds with the condition that certified copies of dedications by separate instruments will be recorded with the Register of Deeds for a 20-foot Landscape Easement, provide a Covenant tying the vacated portion of the Drainage ROW created by Condemnation Case #C-2432, a 2-foot addition to a Utility Easement, and retain the existing 16-foot utility easement between Lots 1 & 2-3, Block F, Broadmoor Addition.

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Motion --
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

VAC2002-33

VAC2002-33 - REQUEST TO VACATE A PORTION OF PLATTED WATER AND UTILITY EASEMENTS - NORTHWEST OF THE KELLOGG, WEST STREET INTERSECTION - 4600 WEST KELLOGG DRIVE – TOWNE WEST SQUARE. (District IV)

Agenda Report No. 02-2063.

The applicant is requesting consideration for the vacation of a portion of the platted 10-foot water and 20-foot utility easements as recorded on Lot 9, Towne West 2nd Addition. The applicant proposes to demolish the existing building and build a Dick's Sporting Goods.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds with the condition that certified copies of dedications by separate instruments will be recorded with the Register of Deeds for water and utility easements and the applicant provide a guarantee of the relocation of water and sewer.

Motion --
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

VAC2002-36

VAC2002-36 - REQUEST TO VACATE SEWER EASEMENT DEDICATED BY SEPARATE INSTRUMENT NORTHWEST OF THE WACO, 13TH STREET NORTH INTERSECTION 439 WEST 14TH STREET NORTH. (District VI)

Agenda Report No. 02-2064.

USD 259, as part of an expansion and improvements to North High School, proposes to build a school building on what is now a parking lot for the High School. The building will encroach over the 20-foot sewer easement located on the north 150.6-feet of Lot 1, Dillon 9th Addition. The Dillon 9th Addition was recorded with the Register of Deeds 11-18-1982 and the sewer easement was recorded with the Register of Deeds 06-06-1983. North High School is recognized as a Historic Regional Site. There are no conditions attached to this vacation request.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

VAC2002-37

VAC2002-37 - REQUEST TO VACATE A PLATTED BUILDING SETBACK LINE- SOUTHWEST OF THE HOOVER STREET – MAC ARTHUR STREET INTERSECTION. (District V)

Agenda Report No. 02-2065.

The applicant is requesting consideration for the vacation of the platted setback as recorded on Lot 1, Block A, Wheatland Commercial Addition. The applicant has applied to rezone, SF-5 to LC (ZON02-59), the south (+) 47-feet of the property LC Limited Commercial to match the rest of Lot 1; Lot 1 is a total of approximately 4.5 acres. The platted setback is irregular in its depth, going from 41.84-feet on

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its southwest corner to 47.77-feet on its southeast corner. The Wheatland Commercial Addition was recorded with the Register of Deeds 06-28-2001. The zoning of the property was part of a 1958 County initiated rezoning, which created 600-foot (x) 600-foot commercial nodes on selected section line road intersections. The applicant's property is approximately (+) 47-feet longer than the commercial node along Hoover Street at this section line road intersection. The property abutting the south end of the applicant's property, where the proposed vacated setback is located, is zoned SF-5 and developed as single family residential.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed. There are no conditions attached to this vacation request

A certified copy of the Vacation Order will be recorded with the Register of Deeds and retain a 25-foot compatibility setback line, the standard in the Unified Zoning Code.

Motion --
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Item No. 49)
ZON2002-56

ZON2002-56 - ZONE CHANGE FROM "SF-5" SINGLE-FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL - SOUTH OF MAPLE AND EAST OF RIDGE. (District V)

Dale Miller

Planning Department reviewed the Item.

Agenda Report No. 02-2066.

MAPC Recommendation: Approve, subject to platting within one year and the provisions of a Protective Overlay District. (10-4)

Staff Recommendation: Approve, subject to platting within one year and the provisions of a Protective Overlay District.

The applicants request a zone change from "SF-5" Single Family Residential to "LC" Limited Commercial on a 0.9 acre platted tract generally located south of Maple and east of Ridge. The applicants propose to redevelop the subject property with unspecified commercial uses. The subject property is currently developed with two single family residences.

The surrounding area is characterized by a mixture of residential uses, commercial uses, and undeveloped property zoned for or in the process of being zoned for commercial uses. The properties to the south and east are zoned "SF-5" Single Family Residential and are developed with single family residences. The property to the west has been approved for rezoning to "LC" Limited Commercial, subject to a pending plat of the property, and is currently developed with a single-family residence. The properties to the north are vacant and are currently zoned "LC" Limited Commercial and "SF-5" Single Family Residential. The properties to the north that are zoned "SF-5" Single Family Residential have been approved for rezoning to "LC" Limited Commercial, subject to a pending plat of the property.

Although the subject property has been identified in the Comprehensive Plan as appropriate for commercial uses, planning staff finds that the close proximity of the subject property to established low-density residential uses requires that commercial uses on the subject property be held to high development standards. To buffer commercial development on the subject property from existing residences to the south and east, planning staff recommends that a Protective Overlay be approved that continues the development controls established during the approval of the zoning changes on the adjacent properties to the north and west. The recommended Protective Overlay limits signage, lighting, noise, and building height; requires a six foot high masonry wall and a landscape buffer along the south and east property lines; and prohibits certain uses that are less compatible with residential development. If in the future the zoning of the residential properties to the south or east is changed to allow commercial uses, then the provisions of the Protective Overlay could be amended, but planning

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staff finds that high-intensity, auto-oriented commercial use of the subject property is not appropriate at this time.

Additionally, the character of the adjacent streets, the potential intensity of commercial traffic, and the potential for "cut-through" commercial traffic using University and Summitlawn all argue against the subject property gaining access from the streets to which it is adjacent and instead argue for the subject property gaining access only from Maple or Ridge through the adjoining properties to the west or north. Planning staff recommends that the subject property be replatted to ensure that sufficient street right-of-way, access controls, drainage plans, street improvements, and/or utility easements are in place to support commercial development of the property. More specifically, planning staff will recommend at the time of platting that access to the subject property be limited to cross-lot access from the adjoining properties to the north or west. Additionally, although planning staff does not recommend permitting commercial traffic to access University, if access is to be granted to University at the time platting, planning staff will recommend that the access be right-out only and that a guarantee be required to improve the street to commercial standards.

At the public hearing on October 24, 2002, the MAPC heard from a neighboring resident who protested the request and stated that she did not think a residential area with existing houses should be converted to a commercial use. The neighboring resident also presented written protest petitions representing six properties in the area (see attached map and protests). As illustrated on the attached map, only two of the properties are within 200 feet of the subject property, and since those two properties represent only 10.21% of the total land area within a 200-foot radius of the subject property, only a simple majority (four affirmative votes) of the City Council is required to approve the request at this time.

At the public hearing, the applicant requested that staff's recommended prohibition of billboards and drive-thru restaurants be eliminated. The MAPC agreed with the applicant's request to allow billboards and drive-thru restaurants and recommended approval (10-4) of the zone change subject to replatting within one year and the following conditions of a Protective Overlay District:

- A. No portable signs shall be permitted on the subject property. An off-site sign shall only be permitted in the northwest quadrant of Lot 8, Block G, Westerlea Village Addition. No signs shall be permitted along the face of any building or along any street frontage that faces any property that is in a residential zoning district.
- B. Light poles shall be of the same color and design and shall have cut-off fixtures which direct light away from any adjoining property or property across the street from the subject property that is in a residential zoning district. Light poles shall be limited to a maximum height of 14 feet.
- C. Outdoor speakers and sound amplification systems shall not be permitted.
- D. No buildings shall exceed one story in height with a maximum building height of 25 feet.
- E. A 6 foot high masonry wall shall be constructed parallel to the south and east property lines where property in a residential zoning district is across the street from the subject property. The masonry wall along the south property line shall be setback from the property line a sufficient distance to provide the required landscaped street yard on the south side of the wall. The masonry wall along the east property line shall be setback from the property 20 feet, and a 20-foot deep landscaped street yard shall be provided adjacent to the entire length of the east property line on the east side of the masonry wall.
- F. The following uses shall not be permitted: adult entertainment establishment; group residence; correctional placement residence; group home; recycling collection station; reverse vending machine; car wash; convenience store; night club; recreation and entertainment; service station; tavern and drinking establishment; and vehicle repair.

Motion --

Martz moved that the City Council concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of a Protective Overlay District and subject to the condition of replatting within one year, Except that the billboard not be allowed; and the Ordinance be forwarded for first reading when the plat is forwarded to the City Council. Motion carried 7 to 0.

-- carried

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A02-21

A 02-21- ANNEX LAND, - SOUTH OF WEST PAWNEE AVENUE AND WEST OF SOUTH MAIZE ROAD, ALSO INCLUDING SEGMENTS OF 13TH STREET NORTH LOCATED WEST OF 119TH STREET AND EAST OF WEBB ROAD. (Districts II, IV, V)

Agenda Report No. 02-2067.

The City has received a request to annex approximately 147 acres situated south of W. Pawnee Avenue and west of S. Maize Road. The site abuts the City of Wichita to the north and east, and also abuts an intervening 14 acre tract of land immediately located at the southwest corner of the intersection of Pawnee and Maize, that will remain within the County. The applicant plans to ultimately develop the site with 474 single-family homes. It is anticipated that the annexation area will be fully developed within five (5) years.

Additionally, the City is seeking to annex two segments of 13th Street North. One segment is located west of 119th Street to the east line of Azure Road, incorporating the Cowskin Creek Bridge. This annexation is necessary in order to receive KDOT funding to reconstruct the bridge over the Cowskin Creek. The second segment of 13th Street North is located immediately east of Webb Road and adjacent to Beech Lakes (area recently annexed into the City), incorporating road segments that the City is currently maintaining by agreement with Sedgwick County.

Land Use and Zoning: The annexation request area near Pawnee and Maize Road is presently in agricultural use and zoned "SF-20" Single Family Residential, with a small portion of "LC" Limited Commercial zoning located along the northeastern edge of the parcel. Land use surrounding the site is predominately agricultural with existing residential development occurring directly north and east of the site. Land directly abutting and northeast of the site is zoned "LC" Limited Commercial, and is in agricultural use. Land south and west of the site is zoned "SF-20" Single Family Residential. Land north of the site is zoned "SF-5" Single Family, while land due east of the site is zoned SF-5" Single Family Residential and MF-18 Multi-Family Residential. The "SF-20" Single Family Residential zoning of the annexation area will convert to "SF-5" Single Family upon annexation and the small portion of "LC" Limited Commercial zoning will remain unchanged.

Public Services: As part of the platting requirements, the property owner shall guarantee the extension of City sanitary sewer and water to serve the lots being platted. Currently, there is a 16 inch water main running along Pawnee and a 16 inch water main located in Maize Road north of Denene Street. An 8 inch sewer line currently runs along the east side of Maize Road.

Street System: The property proposed for annexation has access to W. Pawnee Avenue (two-lane unpaved arterial) that serves the area as the nearest east-west road, and S. Maize Road (two-lane paved arterial) that serves the area as the nearest north-south road. The 2002-2011 City of Wichita Capital Improvement Program proposes to construct urban paving on Pawnee between 119th Street West and S. Maize Road, with design work anticipated in 2004 followed by construction in 2006. As a condition of platting approval, the applicant will be required to install left turn lanes on Pawnee and Maize Road at the planned ingress/egress points to the development.

13th Street North west of 119th: This two lane paved road segment extends westerly from the existing City limits located at a point 1/5th mile west of 119th Street, to a point at the east line of Azure Road immediately west of the Cowskin Creek Bridge. The south side of this road segment abuts the City limits.

13th Street North east of Webb Road: This four lane paved road segment extends from the existing City limits at the intersection of Webb Road and 13th Street North, easterly for over 1/2 mile abutting the City limits along its north side.

Public Safety: Fire services to this site can be provided within a six (6) to seven (7) minute approximate response time from City Station #17 located at 10651 West Maple. Upon annexation, police protection will be provided to the area by the Patrol West Bureau of the Wichita Police Department, headquartered at 661 North Elder.

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Parks: Pawnee Prairie Park (624 acres), a semi-regional park, is located less than one mile east of the annexation request area. This park contains a variety of plants and wildlife, while offering area residents access by way of a five mile bridle trail, an eight mile nature trail and a nature center. The park also has a driving range.

School District: The property is located in Unified School District 265 (Goddard School District). Annexation will not change the school district.

Comprehensive Plan: The proposed annexation is consistent with current amendments to the Comprehensive Plan.

The current approximate appraised value of the proposed annexation area is \$26,650. Using the current City levy (\$31.406/\$1000 x assessed valuation), this roughly yields \$251 in City annual tax revenues for the property. The future assessed value of this property will depend on the type and timing of development and the current mill levy. However, the property owner projects an overall appraised value of \$36,972,000 for residential when development is completed, resulting in a combined assessed value of \$4,251,780. Assuming the current City levy remains about the same, this would roughly yield \$133,531 in City annual tax revenues.

The 2002-2011 City of Wichita Capital Improvement Program has programmed the Cowskin Creek bridge replacement in 2004. Total bridge costs are estimated at \$1,930,000. The City Public Works Department estimates the annual maintenance cost of the street segments proposed for annexation to be \$9,000 per mile lane.

| Street Segment | Estimated Annual Maintenance Costs |
|---|------------------------------------|
| 13th Street west of 119th Street (2 lane) | \$2,728.00 |
| 13th Street east of Webb (4 lane) | \$20,460.00 |

The properties are eligible for annexation under K.S.A. 12-519, et seq.

Motion --
-- carried

Knight moved that the Annexation be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, introduced and under the rules laid over.

MIDTOWN MORATORIUM

SIX-MONTH REVIEW OF A MORATORIUM ON THE PROCESSING OF CERTAIN PERMITS FOR CERTAIN PROPERTIES IN THE MIDTOWN NEIGHBORHOOD REVITALIZATION PLAN. (District VI)

Agenda Report No. 02-2068.

On May 14, 2002, the Wichita City Council adopted a moratorium on the processing of certain permits for certain properties in the Midtown Neighborhood Revitalization Plan area described as the area bounded by 18th on the north, the UP/BNSF Railway to the east, Murdock to the south and the Arkansas River to the west. This neighborhood plan has been renamed the Historic Midtown Neighborhood Plan, and defines the boundaries described above. The moratorium was adopted for a period of up to one (1) year, subject to review after six months, with a determination by the City Council of the length of time for continuation of the moratorium and/or modification of any of its provisions. It has now been six months since the moratorium was adopted.

The area within the scope of the moratorium includes certain properties zoned commercial currently used for residential purposes. The intent of the moratorium is to protect the residential neighborhood from non-residential encroachment into residential uses while the Steering Committee of the Historic Midtown Neighborhood Plan is afforded an opportunity to develop the neighborhood plan. The

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moratorium applies to the processing and granting of building permit applications for new non-residential construction or additions on lots zoned commercial or industrial of predominantly residential character.

The moratorium was adopted to protect those established residential areas of the Midtown neighborhood from incompatible uses or development that could otherwise be allowed under existing industrial or commercial zoning that may ultimately be determined inappropriate. In addition, the moratorium was adopted to provide City Staff adequate time to continue working with neighborhood stakeholders and a consultant in the development of the rezoning initiative. The moratorium was also adopted to ensure that new development during this time occur in a manner that is compatible with the reuse possibilities associated with the abandoned UP rail right-of-way extending from Murdock Street to 15th Street and Broadway. This Corridor represents a significant planning element of the Midtown Neighborhood Revitalization Plan, and the City desires to ensure a full range of planning options for those lands located within this segment of abandoned right-of-way.

The moratorium included the following provisions:

1. Moratorium on the processing and granting of building permit applications for new non-residential construction or additions on lots zoned commercial or industrial, within certain predominantly residential areas (See Attachment 2);
2. Moratorium on the processing and granting of building permit applications for all conversions of residential structures, and on all demolition permit applications for residential structures within the Midtown Neighborhood Revitalization Plan Area;
3. Moratorium on the processing and granting of building permit applications for new construction or additions on all property located within the abandoned UP Rail Right-of-Way between Murdock St. and 15th St. and Broadway.

The Office of Central Inspection has received four (4) permit applications since the moratorium was adopted. One permit application was for construction of a warehouse on Water Street, which was approved after review by OCI and MAPD.

A second application entailed construction of an auto mechanics shop at 16th and Topeka, which was denied.

A third application for demolition of a residential structure at 1819 N. Broadway has been placed on hold pending further review by OCI and MAPD.

A fourth application for the demolition of 8 buildings by USD 259 for the purposes of providing additional parking for the school expansion project was denied and a proposal by the Historic Midtown Citizens' Association to make provisions for the possible relocation of these homes to vacant lots in the neighborhood has been accepted by the school district. This project is currently underway.

The goals and objectives of the neighborhood plan have been finalized, and related action plans are currently under development. Work remains to be completed on other aspects of the plan, including the preferred land use concept and proposed rezoning scheme.

The process, which includes additional stakeholder meetings and focus groups, should be completed over the next six months and should be ready for presentation to the MAPC in April of 2003.

Accordingly, the amount of time required to complete this entire process is anticipated to take approximately six to eight months (until April 2003). This time frame includes public information meetings, staff revisions, a technical review committee, DAB and MAPC review, and the public hearings required for adoption of the rezoning proposal by the governing bodies.

Continuation of the moratorium itself involves no additional funding on the part of the City. However, failure to continue the moratorium could compromise the efforts of the Historic Midtown Neighborhood Plan Steering Committee and its partnering organizations.

The City has the authority to establish a development moratorium for specific purposes and a limited time, which was set forth in the resolution establishing the development moratorium.

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Motion --
-- carried

Knight moved that the Development Moratorium be continued in its current form for an additional six months. Motion carried 7 to 0.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

CESSNA SUBLEASE

SUBLEASE AGREEMENT BETWEEN CESSNA AIRCRAFT COMPANY AND YINGLING AIRCRAFT.

Agenda Report No. 02-2069.

The Wichita Airport Authority currently has a lease with Cessna Aircraft Company relating to the provision of fixed base operator services through Yingling Aircraft, Inc. The agreement is for the period March 1, 2001 through February 28, 2021, with two five-year renewal options after 2021. The current sublease agreement between Cessna and Yingling is for the period March 1, 2001 through February 29, 2008, with one five-year option.

Cessna and Yingling are desirous of extending the period of the sublease agreement to coincide with the primary agreement between the WAA and Cessna. The rent schedule is also modified to include amortization of the bonds and land rent through the end of the original term, which is February 28, 2021.

There is no financial impact to the WAA. Revision to Schedule II allows for the amortization of the bonds and land rent to be spread over the term of the lease.

Motion --
-- carried

Knight moved that the Amendment be approved and the necessary signatures be authorized. Motion carried 7 to 0.

FAA OFFICE

FAA OFFICE BUILDING – 1801 AIRPORT ROAD.

Agenda Report No. 02-2070.

On July 2, 2002 Commerce Construction was contracted to make improvements to the FAA office building at 1801 Airport Road.

The tenant has requested additional improvements to the facility.

The additional improvements are estimated to cost \$10,852. Funds are available within the current approved budget, and will be reimbursed by the tenant.

Motion --
-- carried

Knight moved that the Change Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

FLIGHTSAFETY

EXTENSION OF LETTER OF INTENT FOR SPECIAL AIRPORT FACILITIES REVENUE BONDS – FLIGHTSAFETY INTERNATIONAL (District V)

Agenda Report No. 02-2071.

On December 18, 2001, the City Council approved a six-month Letter of Intent to issue Industrial Revenue Bonds in an amount not-to-exceed \$32,500,000, and a 100% five-plus-five year tax abatement on property purchased with bond proceeds to FlightSafety International. The proceeds of the bonds

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were used to acquire and install additional flight simulators and related equipment at the Flight Safety International Training Center located at 1851-1951 Airport Road. The Wichita Airport Authority on the same day approved a six-month Letter on Intent to FlightSafety for the issuance of Special Airport Facilities revenue Bonds in an amount not-to-exceed \$2.5 million. The bond proceeds were used to construct a building expansion at the FlightSafety International Center.

On June 18, 2002, the Airport Authority approved a six-month extension to the term of the Letter of Intent. The extension will expire on December 18, 2002. FlightSafety has requested an additional six-month extension of the Letter of Intent.

FlightSafety has requested the extension because construction of the project is nearly complete; however, it does not appear that cost and expenses associated will be finalized prior to the date of the Letter of Intent expires. The company is now requesting an additional extension of six-months of the Letter of Intent until June 18, 2003.

There is no financial impact on the Airport Authority resulting from the requested extension.

Bond documents required for the issuance of the bonds will be prepared by Hinkle Elkouri Law Firm, L.L.C., bond counsel. The City Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds.

Motion --

-- carried

Knight moved that the extension of the Letter of Intent to FlightSafety International for Airport Special Facilities Revenue Bonds in an amount not-to-exceed \$2.5 million for an additional six months ending June 18, 2003, be approved. Motion carried 7 to 0.

BUDGET ADJ.

BUDGET ADJUSTMENT – UPGRADE AIRPORT ADMINISTRATION HVAC SYSTEM.

Agenda Report No. 02-2072.

On October 16, 2001 City Council approved a study and a project to upgrade the Airport Administration HVAC system.

A study by Moody Engineering has been completed and recommendations have been made to upgrade the current system and make energy efficiency improvements. It is also recommended by staff that the roof be replaced at the same time the improvements are being made due to both the age of the roof and the other improvements being made.

The improvements being recommended will require a budget increase of \$205,000. This will make the total budget of \$320,000. The project will be funded with General Obligation Bonds paid with Airport revenue.

Motion --

-- carried

Knight moved that the budget adjustment be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. A02-010

A Resolution declaring that a public necessity exists for, and that the public safety, service, and welfare, will be advanced by the authorization of certain capital improvements to the Wichita Mid-Continent Airport Facility; and setting forth the nature of said improvements; the estimated costs thereof; and the manner of payment of same, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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CIPS

CAPITAL IMPROVEMENT PROGRAMS:

PUBLIC AREA OF TERMINAL BUILDING AND CONCOURSES.

Agenda Report No. 02-2073.

The 2002 Capital Improvement Program (CIP) allows for miscellaneous improvements to be made to the public area of the Terminal Building and concourses.

The restrooms in the Terminal Building are in need of improvements. The project will include improvements to the floors and replacement of the restroom stalls and fixtures.

The project is estimated to cost \$100,000 and will be funded with General Obligation Bonds paid with Airport revenue.

Motion -- carried

Knight moved that the Project be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. A02-011

A Resolution declaring that a public necessity exists for, and that the public safety, service, and welfare, will be advanced by the authorization of certain capital improvements to the Wichita Mid-Continent Airport Facility; and setting forth the nature of said improvements; the estimated costs thereof; and the manner of payment of same, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

AIRFIELD EQUIPMENT.

Agenda Report No. 02-2074.

The 2003 Capital Improvement Program (CIP) allows for Airfield Equipment.

The mobile truck mounted stairs are used to load and unload passengers from airplanes when an airplane does not have access to a jetway or in emergency situations. The stairs are also used to load and unload passengers from charter airplanes. The current 1976 mobile truck mounted stairs are in need of replacement.

The estimated cost of the mobile stairs is \$90,000. The equipment will ultimately be funded with an FAA grant and Passenger Facility Charges. Airport revenue will be used as interim funding.

Motion --
-- carried

Knight moved that the project be approved and Staff be authorized to solicit bids. Motion carried 7 to 0.

ADMINISTRATIVE BUILDING FLOOR COVERINGS.

Agenda Report No. 02-2075.

The 2004 Capital Improvement Program (CIP) allows for improvements to be made to the Administration Building. The floor coverings in the Administration Building should be replaced prior to 2004.

The current floor coverings in the Administration Building are approximately 16 years old are worn and need of restoration and replacement.

The estimated cost of the replacement is \$65,000. The project will be funded with General Obligation Bonds paid with Airport revenue.

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Motion -- carried

Knight moved that the Project be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. A02-012

A Resolution declaring that a public necessity exists for, and that the public safety, service, and welfare, will be advanced by the authorization of certain capital improvements to the Wichita Mid-Continent Airport Facility; and setting forth the nature of said improvements; the estimated costs thereof; and the manner of payment of same, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

EXECUTIVE SESSION

Motion --

Knight moved that the City Council recess into executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending and potential litigation, and legal advice; personnel matters of non-elected personnel; and preliminary discussions relating to the acquisition of real property for public purposes; and that the Council return from executive session no earlier than 12:00 noon. Motion carried 7 to 0.

-- carried

Recess

The City Council recessed at 10:35 a.m. and returned at 12:00 p.m..

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

Motion --

Knight moved that the Council recess to lunch and tour, and return to executive session at approximately 1:15 p.m. to consider personnel matters of non-elected personnel, and return no earlier than 1:35 p.m.. Motion carried 7 to 0.

-- carried

Recess

The City Council recessed at 12:00 p.m., moved to executive session at approximately 1:15 p.m., and returned at 1:52 p.m.

As a result of the Executive Session, the following action was taken:

APPOINTMENT OF MUNICIPAL COURT JUDGE.

Motion --

Knight moved that the City Council appoint Bryce Abbott as Municipal Court Judge to fill an unexpired term of office, or until April 18, 2005. Motion carried 7 to 0.

-- carried

Adjournment

Tour/Lunch - Orpheum